

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34782 of 2024

Arising Out of PS. Case No.-429 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

Shobhakant Baitha Son Of Ramashanker Baitha Resident Of Village -
Ibrahimpur, P.S. - Runnisaidpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Runnisaidpur P.S. Case No. 429 of 2023 dated 19.08.2023, lodged under Section 363, 366(A), 34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged 7 named accused persons including the present petitioner against whom there is an allegation that they have entices the informant's daughter and the informant has apprehension that they may kill his daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the criminal antecedent of the petitioner is not clean and there is one criminal case pending against him in which he



is on bail. Counsel further submits that the present case is the result of political rivalry due to the reason that the petitioner's mother is the elected mukhiya of gram panchayat and earlier, she was also member of gram panchayat, whereas, the family of the alleged victim was earlier mukhiya and due to the said political rivalry, the name of the petitioner has been figured in this case. Counsel further submits that the alleged victim has been recovered and she has disclosed in her statement under section 164 Cr.P.C. before the Magistrate that she was forcefully kept by the accused persons who have taken her to pupri and then to Mumbai and when they receive information that the case has been lodged then, they returned back with the victim. Counsel submits that it is quite impossible that forcefully a girl aged about 17 years shall be removed from one village to another village and subsequently, without her consent, she can go to Mumbai and then returned back.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing



bail bond of Rs.30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VI-cum-Special Judge (POCSO Act), Sitamarhi, in connection with Runnisaidpur P.S. Case No. 429 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

7. It is directed that at the time of surrender, the petitioner shall certify to the Court that he is not absconding in the case pending against him whose detail is as follows:-

◆ Runnisaidpur P.S. Case No.328 of 2023.

(Dr. Anshuman, J)

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