

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40934 of 2024

Arising Out of PS. Case No.-646 Year-2023 Thana- SUPAUL District- Supaul

Dilchan Kumar @Dilchand Kumar @Dilchand Sada S/O Chand Sada R/O
Village Nayanagar, Sutihaar, Ward no 3, P.S. and Distt-Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalan Sada S/O Late Vimal Sada R/O Village Naya Nagar, Sutihaar, Ward no.3, P.S. and Distt-Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-06-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

POCSO Case No 19 of 2024 arising out of Supaul P.S.

Case No. 646 of 2023 under Sections 366 A, 504, 506

and 34 of the Indian Penal Code and Section 8 of the

POCSO Act.

3. The petitioner is named in the F.I.R and is in

custody since 22.12.2023.

4. The allegation against the petitioner is to



kidnap the minor daughter of the informant aged about 14 years for the purpose of marriage/illicit intercourse.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner was falsely implicated with the present case for the reason that love affairs of the petitioner with the daughter of informant was not approved by the family of victim including informant. It is submitted that as per statement of victim as recorded under Section 164 of Cr.P.C, it appears that she went alongwith petitioner out of her own sweet will and solemnized marriage and thus, completely denied the allegation of kidnapping. While concluding argument it is submitted that petitioner is a man of clean antecedent and moreover investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.



7. In view of the aforesaid facts and submissions and by taking note of statement of victim as recorded under Section 164 of the Cr.P.C., where she completely negate the allegation of kidnapping coupled with the facts, that charge-sheet has already submitted, accordingly petitioner above named, is directed to be released on bail in connection with Supaul P.S. Case No. 646 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned learned Addl. District & Sessions Judge-VI-Cum-Special Judge, POCSO Supaul/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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