

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45303 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- LAURIA District- West Champaran

Rakesh Dhangar @ Rakesh Dhangad S/O Sudama Dhangad @ Sudama Dhangar R/O Village- Sisvaniya Dhangad Toli, P.S- Lauriya, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Aabha Devi W/O Dharmendra Dhangad R/O Village- Sisvaniya Dhangad Toli, P.S- Lauriya, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvesh Kashyap, Advocate
For the State	:	Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 18-09-2024 Heard Mr. Sarvesh Kashyap, learned counsel for the petitioner and learned APP for the State, though the opposite party no.2 was noticed and has put appearance, on call no one appears to present the view of opposite party no.2.

2. The petitioner is in custody in connection with Lauriya P.S. Case No. 68 of 2024 for the offence punishable under sections 363, 366-A and 34 of the Indian Penal Code and section 8 of the POCSO Act, lodged on 09.03.2024, by the informant, Aabha Devi.

3. As per the prosecution story, the informant alleged that her daughter 'X' went to attend nature's call when named F.I.R. accused abducted her for the purpose of marriage.



Accordingly, the F.I.R.

4. In this case, the case diary as also the section 164 Cr.P.C. statement of victim girl has come pursuant to the order passed by the coordinate Bench earlier.

5. As per the said statement, the victim girl has narrated that due to dispute with the mother, she went to her maternal aunt's place and stayed there for long time, later she came to know that case has been lodged against this petitioner, she returned home.

6. Learned APP opposes the prayer for bail.

7. Considering the statement made by the victim girl as also that the petitioner do not have criminal antecedent, is a boy of twenty years as also remained in custody since 05.04.2024 (paragraph no.12 of the petition), this Court is inclined to extend him the privilege of bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum-Special Judge POCSO, Bettiah, West Champaran, in connection with Lauriya P.S. Case No. 68 of 2024, subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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