

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48429 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- SIKARPUR District- West Champaran

Chandrashekhar Sah @ Chandrashekhar Kumar Gupta son of Ekbal Sah
Village- Bahuarwa khurd PS- Shikarpur District- West champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X (Symbolic name of the Father of the Victim) son of Shambhu Sah Village-
Bahuarwa khurd, W.No-10, PS- Shikarpur District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-08-2024 Heard Mr. Bimlesh Kumar Pandey, learned
counsel for the petitioner and the State.

2. The petitioner is apprehending arrest in connection with Shikarpur P.S. Case No. 270 of 2023 instituted under Sections 363, 366A, 341, 323, 34 of the Indian Penal Code, section 8 and 12 of POCSO Act and section 3(i)(r)(s),3(2)(va) of SC/ST (POA) Act lodged on 09.04.2023 by the informant, Sanjeet Sah.

3. pursuant to the order dated 07.08.2024, the victim girl X daughter of Y and Z are present in the Court and as per the Adhaar Card, her date of birth is 01.01.2004 (though her



matriculation certificate shows her date of birth as 20.09.2005).

4. On query, she submitted that she was in relationship with the petitioner and gone with him without any fear from the accused side. She further narrated that in a temple in Ram Nagar, West Champaran, she solemnized marriage with the petitioner.

5. This Court is dealing with the anticipatory bail and is satisfied that the petitioner has made out his case, he do not have criminal antecedent and learned counsel for the petitioner undertakes that he will be cooperating in investigation and diligently appearing in trial, if it proceed.

6. In that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Shikarpur P.S. Case No. 270 of 2023 to the satisfaction of learned Additional District and Sessions Judge 7th cum Special Judge, POCSO, Bettiah, West Champaran subject to the conditions as



laid down under Section 438(2) of the Cr.P.C. as also the other 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 co-operate in the investigation and make himself available to the police as and when required;

(iv) 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;

(v) 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.

8. The photo copy of the certificates including the Adhaar Card provided by the victim girl are part of the present petition and this Court has also seen the original certificates of



all the photo copies.

9. This order has been passed in dealing with the anticipatory bail, this will not be taken for consideration at any stage as and when the trial takes place.

(Rajiv Roy, J)

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