

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54231 of 2024

Arising Out of PS. Case No.-145 Year-2023 Thana- BARHARIA District- Siwan

Chunmun Sah @ Chunmun Kumar Son of Ram Babu SahLalbihari Sah
Resident of Vill- Khanpur, P.S.- Barharia, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Krishna Kumar Gupta Son of Late Durga Sah Resident of Village- Khanpur,
P.S- Barharia, Dist- Siwan.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Bardhan Pandey, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 14-11-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 366(A) of the IPC and section 4 of
the POCSO Act.

3. Allegation against the petitioner is that he along with
other accused persons have kidnapped the minor daughter of the
informant on the pretext of providing a job.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. It is



submitted that the statement of the victim was recorded u/s 164 Cr.P.C., in which, she has not supported the prosecution case and the age of the victim has been found around 18-20 years by the medical board. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case, since the victim has not supported the prosecution case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Barhariya P.S. Case No.145 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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