

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50942 of 2024

Arising Out of PS. Case No.-149 Year-2022 Thana- SANOKHAR District- Bhagalpur

Seikh Rakat @ Reekat Alam Son Of Md. Seikh Nazir @ Nazir Resident Of
Bari Naki, P.S. - Sanokhar, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Md. Sajjabul Son Of Seikh Usman Resident Of Bari Naki, P.S. - Sanokhar,
District - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sharda Nand Mishra, Adv
For the Opposite Party/s	:	Mr.Rita Verma, APP
For the Informant	:	Mr. Rakesh Kr. Singh, Adv
		Mr. Rananjay Kumar, Adv

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 13-11-2024 Heard learned counsel for the petitioner, learned counsel
for the informant and learned Additional Public Prosecutor for the
State.

2. The petitioner is apprehending his arrest in a case in
connection with Sanokhar P.S. Case No. 149 of 2022 dated
06.08.2022 registered for the offence/s punishable u/ss 366A and 504
read with section 34 of the Indian Penal Code and 8 of the POCSO
Act.

3. As per the prosecution case, the petitioner is alleged to
have kidnapped the minor daughter of the informant for the purpose
of marriage. When the informant went to his house to make
complaint, all the accused persons abused him.



4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is a delay of 16 days in lodging the FIR. There was love affair between the victim and the petitioner. Learned counsel has further submitted that the victim girl is not traceless. The victim in her statement recorded u/s 164 of the Cr.P.C. has not stated the name of the petitioner. There is nothing on record which shows that the victim was forced or seduced to have illicit intercourse with another person. The other co-accused person has already been granted bail by this court *vide* order dated 24.01.2024 passed in Cr. Misc. No. 79510/2023. The petitioner has one criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the anticipatory bail petition of the petitioner by submitting that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhagalpur in connection with Sanokhar P.S. Case No. 149 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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