

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50965 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- MATIYARIA District- West Champaran

Omraj Kumar Son Of Virandra Mahto @ Birendra Mahto Resident Of Village -
- Parsauni, Police Station - Gobardhana, District - West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shiv Narayn Sharma Son Of Late Ramchandra Sharma Resident Of Village -
Sherwa Majalua, Police Station - Matiyariya, District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

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

ORAL ORDER

2 06-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Matiyariya P.S. Case No. 30 of 2024 dated 05.04.2024 registered for the offences punishable u/ss 366A of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor niece (*Bhegni*) of the informant for the purpose of marriage by enticing her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. There was love affair between the victim and the petitioner. The victim in her statement recorded under Section 164 of the Cr.P.C. has not stated that the victim was forced or seduced to have illicit intercourse with another person. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, West Champaran in connection with Matiyariya P.S. Case No. 30 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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