

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51317 of 2024

Arising Out of PS. Case No.-133 Year-2024 Thana- NAUTAN District- West Champaran

Kanhaiya Ram Son of Swarup Ram R/O Vill.- Mangalpur Kala Bin Toli,
Ward no.-08, P.s.- Nautan, Dist.- West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Parbati Devi Wife of Mahanth Sah R/O Vill.- Nautan, P.s.- Nautan, Dist.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 25-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Nautan P.S. Case No. 133 of 2024, registered 27.03.2024, for the alleged offence under Sections 363, 366(A) and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

03. As per prosecution case, the minor daughter of the informant was kidnapped by the petitioner and other co-accused persons with intention of marriage or to sell her.

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



case. The entire allegation against the petitioner and other co-accused persons is based on suspicion. The Victim girl has been recovered and her statement under Section 164 of the Cr.P.C. has been recorded and she did not name this petitioner for being involved in the offence of kidnapping the victim girl of the informant. The victim in her statement has only implicated one Anjunara Khatoon, who administered her intoxicating eatable and she lost consciousness and was taken to Delhi from where she was subsequently released but there is no role of the petitioner as has come up during investigation. The petitioner is aged about 18 years and has no criminal antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation against the petitioner in the light of the statement of the victim girl, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District Judge VI, Bettiah,



West Champaran/court concerned in connection with Nautan
P.S. Case Np/ 133 of 2024, subject to the condition laid down
under Section 438(2) of the Code of Criminal Procedure and
other following conditions:

- (i) One of the bailors will be a close relative of
the petitioner.
- (ii) The petitioner will remain present on each and
every date fixed by the court below, if so required by the learned
trial court.

(Arun Kumar Jha, J)

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