

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52377 of 2024

Arising Out of PS. Case No.-537 Year-2023 Thana- BATHNAHA District- Sitamarhi

Raushan Pandit @ Raushan Kumar Pandit @ Raushan Kumar Son Of Raj
Kishor Pandit Village- Dighi, Ps- Bathnaha, Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sita Devi Wife Of Vijay Mahto Village- Dighi, Ward No. 1, Ps- Bathnaha,
Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ranjeet Kumar Mishra, Advocate
For the Opposite Party/s :	Mr. Mohammad Sufyan, A.P.P.
	Mr. Uday Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner, O. P. No. 2
and learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with Bathnaha P. S. Case No. 537/2023 in a case registered for the offences punishable under Sections 363/366(A)/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act.

3. As per the prosecution case, on 11.12.2023, minor daughter of informant had gone out of the village and in the meantime, all the F.I.R. named accused persons including this petitioner kidnapped her for the purpose of marriage.

4. Learned counsel for the petitioner submits that petitioner is next door neighbour of informant and due to petty dispute this false and concocted case has been lodged against



him. He next submits that F.I.R. has been lodged after inordinate delay of 4 days. As a matter of fact, some dispute arose between daughter of informant and daughter of co-accused Anil Pandit and this petitioner as a result of which, the daughter of informant fled away to Delhi. Victim was finally recovered and in her statement recorded under Section 164 Cr.P.C., she has not alleged anything wrong against this petitioner. Petitioner claims clean antecedent and he is in custody since 10.03.2024. Charge-sheet has already been submitted.

5. Learned A.P.P. for the State and learned counsel for the O.P. No. 2 vehemently opposed the bail application.

6. Considering the statement of the victim recorded under Section 164 Cr.P.C. and period of custody, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VI-cum-Special Judge (POCSO), Sitamarhi in connection with Bathnaha P. S. Case No. 537 of 2023.

(Prabhat Kumar Singh, J)

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