

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61488 of 2024

Arising Out of PS. Case No.-897 Year-2023 Thana- MAJHAULIA District- West Champaran

Laddu Kumar Ram, Son of Birendra Ram, Resident of Village- Madhopur,
Girat, Ward No 4, Majhauiliya, PS- Majhauiliya, Distt.- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Jitendra Sahani, Son Of Ram Aatma Sahani, R/V- Vilalge- Madhopur, P.S.-
Majhauiliya, Distt.- West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner : Mrs. Preeti Kumari, Advocate

For the Opposite Party : Mr. Jharkhandi Upadhyay, A.P.P.

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

ORAL ORDER

2 04-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Majhauiliya P.S. Case No. 897/2023 dated 14.10.2023 registered for the offences punishable under Sections 363, 366A/34 of the I.P.C. and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the petitioner and the other co-accused person are alleged to have kidnapped the minor daughters of the informant for the purpose of marriage.

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



present case. It is submitted that there is one day delay in lodging of the F.I.R. for which no explanation has been given by the prosecution. There was love affair between the parties. The victims in their statements recorded under Section 161 of the Cr.P.C. have stated that when they went for call of nature the petitioner and the other co-accused person came there on motorcycle and took them away forcibly. It is further submitted that the victims have not stated that they were forced to have illicit relationship with any other person. It is further submitted that the victims denied to be medically examined. The other co-accused person Jhunnu Ram @ Jhunna Ram has already been granted regular bail by a Bench of this Court vide Cr. Misc. No. 16322 of 2024 under order dated 23.07.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5.Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory 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 Additional District and Sessions Judge-VI-cum-Special Judge, POCSO, Bettiah, West Champaran, in connection with Majhauriya P.S. Case No. 897 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C. with further condition:-

I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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