

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61601 of 2024

Arising Out of PS. Case No.-550 Year-2023 Thana- CHANPATIA District- West Champaran

Santosh Kumar Son of Ramchandra Mahto Resident of Sihorwa Tola, P.S-
Chanpatia, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Bali Ram Kushwaha @ Baliram Mahato Son of Bhajan Mahto Resident of
Village- Misroali, Ward No. 02, P.S.- chanpatia, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta

For the Opposite Party/s : Mr.Binod Kumar

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

ORAL ORDER

2 11-09-2024 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 Chanpatia P.S. Case
No. 550/2023 dated 06.09.2023 registered for the offence
punishable u/s 366A and 376 of the Indian Penal Code and
Section 4 and 6 of the POCSO Act.

3. As per the prosecution case, the petitioner and
the co-accused persons are alleged to have kidnapped the
minor daughter 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 this case. There was love affair between the petitioner and the victim. Learned counsel has submitted that the victim in her statement recorded u/s 164 of the Cr.P.C. has stated that she went to Surat by train with her own will and started living with the petitioner but when she came to know that a case has been lodged by her father against the petitioner and his family members, so she came back. Learned counsel further submitted that the victim was not forced or seduced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the 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 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, Bettiah in connection with Chanpatia P.S. Case No. 550/2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

