

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63907 of 2024

Arising Out of PS. Case No.-120 Year-2024 Thana- RAXAUL District- East Champaran

Alok Kumar @ Alok Paswan S/o- Hiralal Paswan @ Motilal Paswan Village-
Lurai Katehariya Tola W.No-1, Ps- Majhauriya Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suresh Patel Son of Late Satan Patel Village- Hardiya Kothi W.No-10, Ps-
Raxaul Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 05-10-2024
1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Raxaul Police Station Case No. 120 of 2024,
disclosing offences under Sections 366(A), 34 of the Indian
Penal Code and Section 8 of the POCSO Act.

3. As per the First Information Report, the petitioner
along with other accused persons kidnapped the minor daughter
of the informant aged about seventeen years. The daughter of
the informant left her house on 06.04.2022 along with Jewellery
and cash of Rs. 1,20,000/-.

4. Learned Counsel for the petitioner submits that the



petitioner was having love relationship with the victim girl through Instagram. The statement of the victim was recorded under Section 164 Cr.P.C. in which she has stated that she was not kidnapped and went with the petitioner on her own free will. Learned counsel further submits that the victim has also stated that no physical relationship was established by the petitioner with her. The doctor has assessed the age of the victim between eighteen to nineteen years whereas as per the certificate, her date of birth, on the date of occurrence, was seventeen years and six months.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the statement of the victim girl recorded under Section 164 Cr.P.C., I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, 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 learned 7th Additional Sessions Judge-cum-Special Judge POCSO Act, East Champaran, Motihari, Bihar, in connection with Raxaul Police Station Case No. 120 of 2024,



subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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