

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61520 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- SIMRA District- West Champaran

Rakesh Uraon, aged about 22 years, Sex-Male, S/O Laxman Uraon, R/O Village- Maryadpur, P.S- Semara (Chiutaha), Distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Milind Kumar Mishra, Advocate
For the Informant	:	Mr. Umesh Kumar Gupta, Advocate
For the Opposite Party	:	Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 06-05-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Semra (Chiutaha) P.S. Case No. 42 of 2023 dated 19.03.2023 registered for the offences punishable under Sections 366A, 376, 120B and 504 of the I.P.C. and Sections 4 and 8 of the POCSO Act.

3. As per the prosecution case, the petitioner is 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. It is submitted that there was love affair between the parties and they wanted to solemnize marriage with each other.



It is further submitted that while the petitioner was taking away the victim to Sikandrabad, the victim has not raised any hulla. The victim has been medically examined by the doctor and the doctor has not found recent sexual assault on the victim. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 20.03.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

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 Additional District and Sessions Judge-7th-cum-Special Judge, POCSO, West Champaran at Bettiah, in connection with Semra (Chiutaha) P.S.Case No. 42 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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