

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63966 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- GOPALPUR District- West Champaran

DHANANJAY KUMAR SINGH S/o- SHAMBHU SINGH Village-
Baishakhwa Ps- Gopalpur Dist- W.Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. X NA NA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manju Sharma, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

5 12-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with Gopalpur P.S. Case No.25 of 2023 registered for the offence under Sections 363, 366A of the Indian Penal Code and Section 8/12 of the POCSO Act.

3. Appellation against the petitioner is to have take away the daughter of the informant, aged about 13 years for the purpose of sexual intercourse.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that during course of medical examination no external or internal injuries were found upon private part of the victim. It is also submitted that there is delay in inordinate delay of four days in lodging the present FIR without having any explanation. It appears from perusal of statement under Section 161 of the Cr.P.C. as well as Section 164 of the Cr.P.C. that no allegation as regard to sexual assault and kidnapping or abduction has been levelled against this petitioner, where, victim has been stated that she went to Nepal on her own sweet will. It is also submitted that other similarly situated co-accused person has already been granted bail by learned court below. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 30.05.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and as it appears from perusal of statement as recorded under Section 161 of the Cr.P.C. and Section 164 of the Cr.P.C. there is no allegation as



regard to sexual assault, kidnapping or abduction has been levelled against this petitioner, let the petitioner, above named, is directed to be released on bail in connection with Gopalpur P.S. Case No.25 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO-cum-A.D.J.-VI, West Champaran, Bettaih.

(Ramesh Chand Malviya, J)

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