

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64378 of 2024

Arising Out of PS. Case No.-334 Year-2024 Thana- MAJHAULIA District- West Champaran

Prabhat Kumar Ram @ Prabhat Kumar Son of Akhilesh Ram Resident of
Village -Maluka Tola ward no 07 PS- Majhauriya, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Virshankar Yadav son of Late Sukhdeo Yadav village- vishambharpur tola,
Mohaniya ward no. 7, Ps- Majhauriya, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Preeti Kumari

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-10-2024 1. Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 366A, 504, 506, 34 of the Indian Penal Code & Section 8 of the POCSO Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that his daughter aged about 17 years had gone to attend the call of nature at 7.30 P.M. on 07.05.2024 but did not return, on search, it transpired that petitioner had enticed his daughter away, accordingly, he went to the house of the petitioner but the



named accused persons abused and threatened him.

4. Learned counsel submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that in order to give a serious colour to the case, it has been alleged that the victim is aged about 17 years when she is a major. It is also submitted that the relationship in between the victim and the petitioner was known to both the families but then the family of the victim was opposing the relationship as such the victim eloped with the petitioner and thereafter they married. It is further submitted that the date of occurrence is 07.05.2024 and the F.I.R. came to be instituted on 16.05.2024 i.e. after a delay of 9 days without any plausible explanation. It is also submitted that victim came back and her statement was recorded under section 164 Cr.P.C. but then she has not supported the case of the prosecution.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Majhauriya P.S. Case No.334/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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