

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67572 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- MAINATAND District- West Champaran

Md. Ijhar @ M Ijhar S/O Sheikh Ramtullah @ Shekh Rahamatullah R/o
Village- Bastha, P.S.- Maintand, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X (Imaginary Name of Informant) W/o Belal Sheikh R/o Village- Bastha,
P.S.- Mainatand, District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey
For the Informant	:	Mr. Pratik Kumar
For the Opposite Party/s	:	Mr. Akbar Ali

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

ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner and learned
counsel for the informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for grant
of regular bail in connection with Maintand P.S. Case No. 128 of
2024 dated 19.07.2024 registered for the offences punishable u/ss
115(2), 126(2), 137(2), 140(3), 352, 351(2), 3(5) of the Bharatiya
Nyaya Sanhita and u/ss 4 and 12 of the POCSO Act.

3. As per the prosecution case, when the informant and
her daughter went to nature call, in the meantime, the petitioner
caught hold of her daughter and, he forcefully got her seated on
the motorcycle with the association of the co-accused and fled
away.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. There is love affair between the petitioner and the victim. The victim in her statement recorded u/s 183 of BNSS has stated that no one kidnapped her and she went with the petitioner of her own will. It is further submitted that the victim has not raised any alarm while she was being taken to Hyderabad. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.07.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has 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 Court concerned, Bettiah, West Champaran in connection with Maintand P.S. Case No. 128 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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