

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67623 of 2024

Arising Out of PS. Case No.-111 Year-2024 Thana- MAINATAND District- West Champaran

Sujit Kumar, S/o Byas Patel @ Byas Raut @ Vyas Patel, R/o Village- Hajma
Tola, P.S.- Mainatand, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X (Symbolic name of the Mother of the so called victim) W/o
Nekmohammad Miyan R/o Village- Langdi Bastha, P.S.- Mainatand,
District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate Ms. Anjali Kumari, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Mainatand P.S. Case No. 111 of 2024, registered for the offences under Sections 366A, 120B of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. As per prosecution case, the minor daughter of the informant, aged about 17 years, left her house taking with her Rs. 2,00,000/- in cash and ornaments worth Rs. 80,000/- to 90,000/- and eloped with petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. From recital made in the FIR, it is evident that the victim girl left her house on her own carrying cash and ornaments. Even the victim girl is not minor as the informant herself stated the age of the victim is to be 17 years and no legal document has been brought on record showing her true age. The petitioner has no role in victim girl leaving her house. The petitioner has got no criminal antecedent. The petitioner is in custody since 22.06.2024.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the voluntary nature of act of the victim girl and further considering the age of the victim at which a girl develops sufficient maturity and also considering the clean antecedent of the petitioner as well as his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge 7th-cum-Special Judge POCSO, Bettiah, West Champaran/concerned court in connection with Mainatand P.S. Case No. 111 of 2024, subject to the conditions



mentioned in Section 437(3) of the Code of Criminal Procedure
and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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