

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68412 of 2023

Arising Out of PS. Case No.-384 Year-2023 Thana- DHAKA District- East Champaran

ADARSH RAJ @ BABA @ ADARSH RAJA BABA S/O SANJAY RAM
RESIDENT OF VILLAGE- DHAKA RAMCHANDRA, P.S- DHAKA,
DISTT.- EAST CHAMPARAN. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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

ORAL ORDER

4 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Dhaka P.S. Case No. 384 of 2023 registered for the offence
under Sections 363, 372 / 34 of IPC and Sections 8 and 11 of the
POCSO Act.

3. As per the prosecution case, the allegation against
the petitioner is that he along with his mother and sisters
kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent, committed no offence and has falsely
been implicated in the present case. The petitioner is in custody
since 06.07.2023.

5. However, learned APP for the State vehemently



opposed the prayer for regular bail.

6. On perusal of the FIR, case diary, statement under Section 164 of Cr.P.C. and impugned order dated 19.08.2023 passed by learned 6th Additional Sessions Judge-cum-Special Judge POCSO Act, East Champaran, Motihari, it appears that on the basis of written report of the informant the case was registered under Sections 363, 372 / 34 of IPC and Section 8 and 11 of POCSO Act and on the basis of 164 statement of the victim girl it appears that there is no allegation against the petitioner of sexual assault, no coercion and no pressure for kidnapping of victim by the petitioner, petitioner is in custody since 06.07.2023 and also submissions made by the learned counsel for the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge – cum – Special Judge, POCSO Act, Motihari, East Champaran in connection with Dhaka P.S. Case No. 384 of 2023.

(Ramesh Chand Malviya, J)

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