

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70728 of 2024

Arising Out of PS. Case No.-435 Year-2023 Thana- BELHAR District- Banka

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Laltus Das @ Laltush Das @ Laltush Kumar @ Laltush Kumar Das son of
Channu Das @ Chandrashekhar Das Resident of village -Bishanpur, police
station -Belhar, Dist- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi Wife of Binod Singh Resident of Vill.-Nakti, P.S.-Belhar,
District-Banka.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Balram Kapri, Adv
For the Opposite Party/s : Mr. Binod Kumar, APP

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

ORAL ORDER

2 26-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Belhar P.S. Case No.
435 of 2023 dated 10.10.2023 registered for the offences
punishable u/s 366 A read with section 34 of the Indian Penal
Code and Section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged
to have kidnapped the minor daughter of the informant for the
purpose of marriage with the assistance of the co-accused
Suman Das and Nitesh Das.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. As per the statement recorded under Section 164 of the Cr.P.C. the victim left her home with her own will and she also stated that both of them are living as husband-wife and established physical relationship with each other. As per the middle School Certificate the victim is aged about 18 years old. The charge sheet has already been submitted. It is further submitted that the victim was not forced or seduced to have illicit intercourse with another person. Similarly situated co-accused has already been granted bail by this court *vide* order dated 31.08.2024 passed in Cr. Misc No. 57022 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.05.2024.

5. 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 nature of allegation levelled against the petitioner and 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, Banka in connection with Belhar P.S. Case No. 435 of 2023.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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