

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72504 of 2023

Arising Out of PS. Case No.-560 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Anand Kumar Son Of Late Lalu Chaudhary R/O Vill - Tumkadiya, P.S. -
Bairiya, Distt. - West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 366(A) of the Indian Penal Code
and Section 8 of POCSO Act.

Prosecution case in nutshell is that minor daughter
of the informant went to school but did not return. Even
after intense search, she could not be traced. Strong
suspicion has been raised by the informant that her daughter
has been abducted by accuse persons for solemnization of
marriage.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in F.I.R. There is an inordinate delay of 7 days in lodging the F.I.R. Victim has been recovered. She has stated in her statement recorded under Section 161 Cr.P.C. that she has left her house with her own sweet will and went to Bettiah Railway Station. She went to Jodhpur, where she called the petitioner as she was in love with the petitioner and she wanted to marry him. At jodhpur, the victim resided for two days with the petitioner in separate rooms. She has not whispered about misbehave with her in any manner but she has stated in her statement recorded under Section 164 Cr.P.C. that petitioner made sexual relation with her at Jodhpur. It seems that the victim went with the petitioner with her own will. There is major contradiction in her statement recorded under Section 161 Cr.P.C. and 164 Cr.P.C. Moreover, the petitioner is languishing in judicial custody since 30.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal



antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bettiah Town P.S. Case No. 560 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO-cum-A.D.J. VI, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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