

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73369 of 2023

Arising Out of PS. Case No.-379 Year-2022 Thana- RAMGARHWA District- East
Champaran

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Arjun Kumar, Son Of Satdev Prasad @ Satdev Sah, Resident Of Village -
Bela, P.S. - Ramgarhwa, District - East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar, Advocate
For the State	:	Mr. Suresh Prasad Singh, APP
For the Informant	:	Mr. Deepak Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 08-02-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks regular bail in connection with
Ramgarhwa P.S. Case No. 379 of 2022, arising out of Complaint
Case No. 89 of 2022 for the offences registered under Sections
366(A), 376, 504, 506, 341, 342, 323, 324 of the Indian Penal
Code and Section 8 of the POCSO Act.

3. As per the prosecution case, on the date of
occurrence daughter of the informant had gone to attend call of
nature but she did not return. During course of search, he came
to know that petitioner along with other accused persons have
kidnapped his daughter. It is alleged that after recovery the
victim supported the occurrence and made allegation of rape



against the petitioner.

4. Learned counsel for the petitioner submits that both parties are co-villagers and victim girl was in love with the petitioner. She voluntarily left her house on her sweet will. The alleged occurrence of missing of victim was taken place on 11.05.2022 and the victim herself appeared before the Police Station on 13.05.2022 and not made any allegation against the petitioner but due to ulterior motive, complaint was filed on 29.06.2022 making false allegation against the petitioner. In medical report, age of victim girl has been assessed between 18-19 years. Petitioner has no criminal antecedent. He is in custody since 17.07.2023 on surrender before the Court.

5. Learned counsel appearing on behalf of the State assisted with learned counsel for the informant oppose the prayer for grant of bail to the petitioner and submits that victim is minor.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in



connection with Ramgarhwa P.S. Case No. 379 of 2022, subject to following conditions:-

(I) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(Sunil Dutta Mishra, J)

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