

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86420 of 2023

Arising Out of PS. Case No.-234 Year-2021 Thana- SHIVSAGAR District- Rohtas

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Amarjit Kumar @ Amarjit Singh SON OF GANESH SINGH @ GANESHI
MAHTO RESIDENT OF VILLAGE- SUKUHE, P.S.- SHEO SAGAR
(BADDI) O.P., DISTRICT- ROHTAS

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. RAMRAJ PAL SON OF LATE DUKHI PAL RESIDENT OF VILLAGE-
KHADIHA, P.S.- SHEO SAGAR (BADDI O.P.), DISTRICT- ROHTAS

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok, adv.
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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

ORAL ORDER

5 26-06-2024 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 Sheosagar (Baddi) P.S. Case No. 234 of 2021 dated 12.08.2021 registered for the offence/s punishable u/ss 363 and 366A of the Indian Penal Code and 34 of the Arms Act but as per the impugned order charges have been framed for the first time u/ss 366A, 363 of the IPC and section 12 of the POCSO Act and later on added section 376 of the IPC.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the informant's minor daughter by enticing



her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of 16 days in lodging the FIR. There was love affair between the petitioner and the victim. The victim in her statement recorded u/s 164 of the Cr.P.C. has stated that she went with the petitioner to Mumbai and solemnized marriage with him of her own will. The victim was not forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 09.09.2021.

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 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, Rohtas at Sasaram in connection with Sheosagar (Baddi) P.S. Case No. 234 of 2021, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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