

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2692 of 2024

Arising Out of PS. Case No.-45 Year-2015 Thana- KOTWA District- East Champaran

Raju Kumar @ Raju Kumar Yadav Son Of Ramnath Ray, Resident Of Village
- Vishunpur, P.S. - Kotwa, District - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Kotwa P.S. Case No. 45 of 2015 dated 11.03.2015 instituted for the offence punishable under Sections 363, 366(A), 372, 387, 120(B)/34 of the Indian Penal Code and Section 16 POCSO Act.

3. The prosecution case, in short, is that on 21.02.2015, when the daughter of the informant was going to her house from the school, the petitioner along with other accused persons kidnapped her daughter. It is alleged that they would drag her daughter in the business of prostitution.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the statement of the victim has



been recorded under Section 164 of the Code of Criminal Procedure, in which, she has not supported the prosecution case. It is submitted that victim girl is living with petitioner as his wife, and she has been blessed with two male child. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kotwa P.S. Case No. 45 of 2015, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-6-cum- Special Judge, POCSO, Motihari, East Champaran subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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