

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1434 of 2025

Arising Out of PS. Case No.-136 Year-2024 Thana- KESARIA District- East Champaran

Shailesh Raut @ Savlesh Raut S/o Ramayan Raut Resident of Village -
Chandparsa, Ward No. 12, P.S. - Kesariya, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Wakil Sahani S/o Late Daroga Sahani Resident of Village - Chandparsa,
Ward No. 12, P.S. - Kesariya, District - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 11-04-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Kesariya P.S. Case no.136 of 2024 registered under
sections 366A and 34 of the I.P.C and Sections 8 and 12 of the
POCSO Act.

3. As per the prosecution case, the informant states
that while her minor daughter went to ease herself, the F.I.R
named accused person abducted her. When the daughter-in-law
of the informant protested the same, co-accused Anand Kumar
@ Golu Kumar and Dilip Kumar also assaulted her.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The name of the petitioner has come only for the reason that he happens to be the full brother of the co-accused Anand Kumar @ Golu Kumar who was in love affair with the informant's daughter. The informant's daughter was recovered and her statement was recorded under Section 164 Cr.pc kept in sealed envelop, which I have perused. The victim in her statement states that she is 19 years old and she eloped with Anand Kumar @ Golu Kumar out of her own will. She married with Anand Kumar @ Golu Kumar at Kerala and they lived happily together. The learned Magistrate has also assessed her age as 18 years and hence, no offence under the POCSO Act is made out and there is no whisper about the petitioner in the statement of the victim. The petitioner has no criminal antecedent and he undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in



connection with Kesariya P.S. Case no.136 of 2024 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 7th Addl. District & Sessions Judge-cum-Special Judge, POCSO Act, East Champaran at Motihari, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Harsh/-

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