

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11272 of 2025

Arising Out of PS. Case No.-22 Year-2024 Thana- DHANAHA District- West Champaran

Amarjeet @ Sugan @ Sugan Gupta S/o Sri Bhaju Gupta Resident of village-
Sitab Diyar, P.s. - Dhanaha, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramesh Verma S/o Sri Nawal Kishore Verma @ Kishor Verma R/o vill-
Sitab Diyar, P.S.- Dhanaha, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma, Adv

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 13-05-2025 Notices have been issued and validly served to the

Opposite No. 2 but today no one appears on behalf of the
informant.

2. Heard learned counsel for the petitioner and
learned APP for the State.

3. The petitioner is in custody in connection with
Dhanaha P.S Case No. 22 of 2024 registered for the offences
punishable under Sections 363 of 366-A, 506/34 of the Indian
Penal Code and Section 8 of the POCSO Act.

4. As per allegation in the FIR, petitioner along with
the other co-accused has enticed the informant's minor daughter
aged about 15 years.



5. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that petitioner and the informant's daughter left their homes with their mutual consent and sweet will with intent to marry which is apparent from the FIR and the statement of the victim girl recorded under Section 164 of the Cr.P.C. He further submits that present case does not appear to be of sexual assault or harassment, and therefore, provisions of section 8 of the POCSO Act is not at all attracted to the fact and circumstances of this case. It is also submitted that petitioner is in judicial custody since 25.11.2024 with clean antecedent.

6. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

7. On perusal of the FIR, impugned order dated 20.12.2024 and the Statement of the victim recorded under Section 164 of the Cr.P.C., it appears that both of the have left their house with their own free will and no allegation of sexual assault or abduction is there against the petitioner and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the learned counsel for the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two



sureties of the like amount each to the satisfaction of learned
Additional Sessions Judge-VII-Cum-the Special Judge, POCSO
Act, West Champaran at Bettiah in connection with Dhanaha
P.S Case No. 22 of 2024.

(Ramesh Chand Malviya, J)

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