

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14084 of 2025

Arising Out of PS. Case No.-93 Year-2016 Thana- TARIYANI CHOWK District- Sheohar

Ranjeet Das Son of Late Baijnath Das Resident of Village - Kahataraba, P.S. -
Fatehpur Sheohar, District - Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Awadhesh Rai Son of Late Raghuvir Rai Resident of Village - Madhopur
Chhata, P.S. - Tariyani, District - Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hans Lal Kumar, Advocate Ms. Kumari Sujata Sinha, Advocate
For the State	:	Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Tariyani Chowk P.S. Case No.-93 of 2016, registered for the offences punishable under Sections 366A/34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per allegation, the minor daughter of the informant has been kidnapped by the accused person including the petitioner.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. She further submits that as a matter of fact, the alleged victim/Gudiya Kumari, daughter of the informant, is major and she was in love with the present petitioner and she left her house and joined the petitioner to marry him and ultimately, they got married in a temple and now both of them are living together happily. Even they are blessed with two children. She also refers to the statement of the alleged victim under Section 164 Cr.PC in which she has clearly stated she was in love with the petitioner and she has married him. She further submits that after investigation, finding the case untrue, the police has filed closure report. However, learned Magistrate has taken cognizance on the closure report and hence, the petitioner was constrained to move this Court for anticipatory bail and once the same was refused by the Court below.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances,



this petition is allowed, directing the petitioner above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bond in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO, Sheohar, in connection with Tariyani Chowk P.S. Case No.-93 of 2016, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

shoaib/-

U		T	
---	--	---	--

