

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69859 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- SHAMBHUGANJ District- Banka

Umesh Kumar @ Umesh Sah, Son of Chunna Sah, R/O Vill.- Dumrama, P.S.-
Amarpur, Dist.- Banka.

... .. Petitioner

Versus

1. The State of Bihar
2. Anju Devi, Wife of Late Sumit Paswan, R/O Vill.- Syampur Daka, P.S.-
Shambhuganj, Dist.- Banka.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Md. Nurul Hoda, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 19-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Shambhuganj P.S. Case No. 03 of 2024 dated 04.01.2024 registered for the offences punishable under Sections 366 read with Section 34 of the I.P.C. Later on, Section 8 of the POCSO Act was also added in which cognizance has been taken under Sections 366, 376 of the I.P.C. and Section 4 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. The victim has been recovered and her statement under Section 164 of the Cr.P.C., has been recorded in which she has stated that both have fled away to Bhagalpur and from there they went to Delhi. She has not stated anything regarding sexual assault against the petitioner. The victim has also been examined by the doctor and the doctor has not found any sign of sexual assault on her. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 19.04.2024.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned Additional Sessions Judge-6-cum-POCSO Act, Banka in connection with Shambhuganj P.S. Case No. 03 of 2024.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

