

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70857 of 2025

Arising Out of PS. Case No.-353 Year-2023 Thana- JOGAPATTI District- West Champaran

Anand Sah S/o Binda Sah Resident of Village - Bibi Bankatwa, P.S-
Yogapatti, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mangal Sah S/o Moti Sah R/o Village - Darwalia Tola, Mishrauli, P.S -
Yogapatti, District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 09-10-2025 Heard Mr. Ram Kishun Prasad, learned counsel for the
petitioner and Mr. Parmanand Kumar, learned APP for the State.

2. The petitioner has prayed for bail in connection with
Yogapatti P.S. Case No. 353 of 2023 registered for the offence
punishable under Sections 366A read with section 34 of the Indian
Penal Code and Section 8/12 of the POCSO Act.

3. The case of the prosecution is that the petitioner has
kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. He also
submits that during the course of investigation, the victim has
given her Statement recorded under Section 164 of the Cr.P.C. The



learned trial court has recorded that “the victim, in her statement under Section 164 of the Cr.P.C., clearly stated that she is a major and with her own sweet will, left her house and solemnized marriage with the petitioner.” He also submits that the statement of the victim under Section 164 of the Cr.P.C. completely exonerates the petitioner of all allegations. It is a case of elopement. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 02.09.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO-cum-A.D.J.-VI, West Champaran, Bettiah in connection with Yogapatti P.S. Case No. 353 of 2023.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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