

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74689 of 2024

Arising Out of PS. Case No.-242 Year-2021 Thana- CHIRAIYA District- East Champaran

Dilip Kumar @ Dileep Kumar S/O Vidyanand Prasad Yadav R/O Village
Channarman, P.S.- Mahuawa ,DIST.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Kishore Rai S/O Late Bhagwat Rai R/O Village- Harihara, P.S.-
Sikarganj, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-01-2025 Heard Learned Counsel for the petitioner and
Learned APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Chiraiya (Shikarganj) P. S. Case No.242 of 2021 under Sections 363, 366A/120B of the Indian Penal Code read with Sections 4 & 8 of the POCSO Act.

3. As per the prosecution, the FIR has been lodged against 6 named accused persons including the petitioner against whom there is allegation that the petitioner has kidnapped the informant's daughter.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He submits that the recovery of alleged victim has been made and after recovery, she has narrated her statement under section 164 of the Cr.P.C.

5. Learned Counsel also submits that antecedent of the petitioner is clean.

6. Learned APP for the State opposes the prayer for bail and submits that statement of the victim under section 164 of the Cr.P.C. has been called for.

7. Upon perusal of the statement, the alleged victim who has shown her age 19 years, submits that no force has been applied on her rather she alleged upon the informant himself that he was inclined to marry the victim with a person whose age is more than her and it is due to this reason, she fled away.

8. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of 4 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of 6th Addl. Sessions Judge-cum-Special Judge, POCSO Act., East Champaran at Motihari in connection with Chiraiya (Shikarganj) P. S. Case No.242 of 2021, subject



to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dr. Anshuman, J.)

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