

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86475 of 2024

Arising Out of PS. Case No.-83 Year-2024 Thana- Kalibagh District- West Champaran

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Raja Kumar @ Rajababu Mahto son of Sri Ramesh Mahto Resident of village - Chhawani, Bettiah to the North of Overbridge (N.H.), Ps- kalibag, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Ruby Devi Wife of Sri Ramesh Mahto village- Chhawani, Bettiah, Ps- Kalibag, Dist- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma
For the Opposite Party/s : Mr.Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kalibag P.S. Case No. 83 of 2024 dated 13.07.2024 registered for the offences punishable u/ss 137 (2), 87, 3 (5) of the BNS Act corresponding to sections 363, 366 read with section 34 of the IPC and section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner with the assistance of the co-accused persons kidnapped the minor daughter of the informant for the purpose of marriage or for any illegal purpose.

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



case. It is further submitted that the victim in her statement has stated that no one has kidnapped her and she went with the petitioner of her own sweet will. It is further stated that there is love affair between the petitioner and the victim and the victim solemnized marriage with the petitioner. There is nothing on record which shows that the victim was forced or seduced to have illicit relationship with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.10.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, West Champaran at Bettiah in connection with Kalibag P.S. Case No. 83 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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