

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88650 of 2024

Arising Out of PS. Case No.-213 Year-2023 Thana- JOGAPATTI District- West Champaran

Satish Kumar Singh @ Shahi Ji S/O Sri Baliram Singh Resident of village -
Piprapati, P.S- Jogapatti, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandan Singh S/O Late Kashi Singh Resident of village - Piprapati, P.S-
Jogapatti, District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-03-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Jogapatti P.S. Case No. 213 of 2023 instituted for the offence
under Sections 366-A of the Indian Penal Code and Sections
8/12 of the POCSO Act.

3. Prosecution case in short is that on 15.05.2023, at
around 4:00 a.m., the petitioner allegedly enticed away the 15-
year-old daughter of informant when she went to attend the call
of nature. When the girl's father went to the petitioner's house to
inquire, his parent, abused and drove him away.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 18-11-2024. Petitioner bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case, since the informant was initially against the relation of his daughter with the petitioner. There is inordinate delay of 13 days in lodging the FIR. It is submitted that victim and petitioner have solemnized marriage. From perusal of the statement of the victim recorded under Section 164 of the Cr.P.C., it would transpire that victim had gone with the petitioner at her own volition, they have performed marriage and there is no overt act alleged against the petitioner. Charge sheet is submitted.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that victim is minor, but she has refused for her medical examination, which fact finds mention at paragraph No. 79 of the case diary.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and perusing the statement of the victim recorded u/S 164 of Cr.P.C., this Court is inclined to grant bail to the petitioner.



8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jogapatti P.S. Case No. 213 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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