

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35042 of 2020

Arising Out of PS. Case No.-212 Year-2020 Thana- MAJHAULIA District- West Champaran

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SURAJ PATEL Son of Umesh Patel Resident of Village - Bhagadwa, P.S.-
Majhauriya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-12-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional, due to present pandemic, COVID-19, the matter is listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of physical court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 366A, 504, & 506/34 of the Indian Penal Code and Section 12 of the POCSO Act.



The prosecution case, in brief, is that while the minor daughter of the informant had gone to west side of her house, the petitioner along with other co-accused were waiting from before, kidnapped her with bad intention. When informant went to their house for enquiry, they abused, assaulted and threatened him.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. As a matter of fact, the victim has not alleged anything against the petitioner rather she has stated in her statement recorded under Section 164 Cr.P.C. that she loves the petitioner and having climbed from the window and herself left the house. The petitioner has no criminal antecedent and has been languishing in custody since 21.04.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of the learned
Additional Sessions Judge-I-Special Judge, West Champaran at
Bettiah in connection with Majhauriya P.S. Case No.212 of
2020.

(Anjani Kumar Sharan, J)

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