

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26479 of 2017

Arising Out of PS.Case No. -231 Year- 2016 Thana -SALKHUA District- SAHARSA

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1. Sonu Paswan, son of Lalkun Paswan, resident of Village- Gospur, P.S.-
Salkhua, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Salkhua P.S.
Case No. 231/2016 (POCSO 41/16) for offences punishable under
Sections 366-A, 504, 506, 34 of the Indian Penal Code and under
Section 8 of the Prevention of Children from Sexual Offence
(POCSO) Act, 2012.

The prosecution case, as lodged by the grandmother of
the victim girl Nikki Kumari, is that on 21.11.2016 while both of
them had gone for natural call, the petitioner forcibly kidnapped
his grand daughter and when she shouted one Laltun Paswan also
threatened her.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has falsely been implicated in the aforesaid case. The victim girl in her statement under Section 164 Cr.P.C. has not named the petitioner, rather she has stated that there was a fight with her mother, hence, she ran away from home. He submits that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that although the victim girl has not named the petitioner under Section 164 Cr.P.C. but independent witnesses have stated that she had a love affair with the petitioner and ran away with him and she is pregnant as per the medical report, hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-01-cum-Special Judge, Saharsa, in connection with Salkhua P.S. Case No. 231/2016 (POCSO 41/2016).

(Nilu Agrawal, J)

Rajesh/-

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