

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26223 of 2017

Arising Out of PS.Case No. -204 Year- 2016 Thana -BALIA District- BEGUSARAI

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Bishnu Kumar, Son of Late Binod Sah, Resident of Village- Chhoti Balia Bazar, Police Station- Balia, District- Begusrai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neelam Kumari

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 30-11-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Ballia P.S. Case No. 204 of 2016, registered under Sections 341, 323, 363, 366(A), 368, 370(A), 370(D), 372, 373 and 120(B)/34 of the Indian Penal Code and Sections 3, 4 and 6 of the Immoral Traffic Act and Sections 4 and 8 of the POCSO Act.

The accusation of informant is that is that her daughter, Dolly Kumari, was playing near the tempo. At that time, Amit Sah, Bishnu Kumar (petitioner), Uday Sah and 2-4 other persons told her daughter that her mother was going to Munger and she was called by her mother at Lakhminia Railway Station. Thereafter, Amit Sah and petitioner forcibly took her daughter on



motorcycle at Lakhminia Railway Station, where they handed over her daughter to lady broker for selling, who accompanied her daughter in train and that lady again handed over her daughter to other lady at Jamalpur Station. On raising alarm by her daughter, the broker lady started to flee away and her daughter narrated the incident to the police who handed over to Jamalpur Railway Police. Thereafter her daughter send to remand home. The informant had given information at police station about missing his daughter.

Learned counsel for the petitioner submits that, in fact, a proceeding under Section 147 Cr.P.C. is going on in between the informant and the family members of the petitioner in the court of S.D.J.M., Balia since 2016 and only to give undue pressure the informant managed to lodge this case with false allegation. Further submission is that petitioner is in custody since 10.04.2017 and now the charge has already been framed against the petitioner on 22.09.2012.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Special Judge, Begusarai, POCSO Act, in connection with Ballia



P.S. Case No. 204 of 2016. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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