

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38849 of 2018

Arising Out of PS.Case No. -132 Year- 2017 Thana -KANHAULI District- SITAMARHI

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1. Anil Kumar son of Aklu Mahto, Resident of Village- Itharwa, P.S.-
Kanauli, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Iftekhar Mahmood

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 27-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 06.05.2018
in connection with Kanauli P.S. Case No. 132 of 2017
registered for the offences punishable under Sections 363/366A/34
of the Indian Penal Code and Section 7/17/18 of POCSO Act .

Learned counsel for the petitioner submits that
though the allegation is that this petitioner had kidnapped the
daughter of the informant yet the victim girl on her re-appearance
has stated before the magistrate under Section 164 Cr. P.C. that
she had not been kidnapped by any one and had gone to the house
of her *Mausi* on account of a fight between herself and her
younger brother.

Thus, the entire prosecution story has been falsified



by the statement of the victim girl.

Diary in the present case was called for which has since been received.

Learned counsel appearing on behalf of the State after perusal of the case diary submits that the victim girl has, in fact, made such statement and there is no further material against the petitioner in the case diary.

Considering the aforementioned facts and circumstances, let the petitioner above named, 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 the learned 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Sitamarhi, in connection with Kanahauli P.S. Case No. 132 of 2017.

(Anjana Mishra, J)

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