

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18759 of 2019

Arising Out of PS. Case No.-27 Year-2018 Thana- MAHILA THANA District- Begusarai

JITENDRA MALLIK @ JITENDRA MLLIK S/o Ashok Mallik @ Ashok
Mllik resident of village-Bihat, P.S-Barauni, Distt.-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 366A, 506, 376 of the Indian Penal Code and 4 of the POCSO Act.

The prosecution case in short is that the accused persons forcibly abducted the minor daughter of the informant for the purpose of marriage.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 9.10.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. The date of occurrence is



24.8.2018 but the F.I.R. has been registered on 9.9.2018. The delay in lodging the F.I.R. has not been explained. The prosecution has not come with clean hands. From the order of the Sessions Court, it appears that witnesses in paragraphs 32 and 33 of the Case diary have not supported the prosecution case. The victim had left the house due to love affairs.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R..

Considering the aforesaid facts and circumstances, it is directed that 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 learned Additional Sessions Judge -1st, Begusarai-cum- Special Judge, POCSO Act, Begusarai in connection with POCSO Case No. 79 of 2018 in connection with Mahila P.S. Case No. 27 of 2018.

(Sudhir Singh, J)

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