

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30991 of 2021**

Arising Out of PS. Case No.-28 Year-2021 Thana- BELAGANJ District- Gaya

Antosh Kumar Son Of Ram Briksh Yadav Resident of Village - Tikuli, P.S.-
Belaganj, Distt.- Gaya.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Dular Sah, Adv.

For the Opposite Party/s : Mr.Madhuri Lata, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 13-12-2021

Heard.

The petitioner seeks regular bail in connection with Belaganj P.S. Case No. 28 of 2021 for the offence punishable under Section 366(A) of the Indian Penal Code and section 06 of the POSCO Act.

The allegation is regarding the victim girl having gone with the petitioner to Delha market situated at Gaya and after some time, the victim girl is stated to have returned back. Nonetheless, it is alleged by the informant that the victim girl was kidnapped by the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case is having a clean antecedent and is languishing in custody since 27.01.2021. The learned counsel



for the petitioner has further submitted by referring to the statement made by the victim girl under Section 164 Cr. P.C. that she had gone to the market with the petitioner, whereafter nothing happened and then one person had met her on the way, who had brought her to the police station. It is further submitted that neither there is any allegation against the petitioner of his having committed any sort of misdeed with the victim girl nor the petitioner is stated to have forcefully taken away the victim girl, hence it is submitted that the petitioner is having no complicity in the matter.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the statement of the victim girl made under Section 164 Cr. P.C. before the learned Magistrate, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs.



10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, POSCO Court cum ADJ VI, Gaya in connection with Belaganj P.S. Case No. 28 of 2021.

(Mohit Kumar Shah, J)

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