

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9238 of 2022

Arising Out of PS. Case No.-47 Year-2021 Thana- MATIYARIA District- West Champaran

Deepak Kumar @ Bipat Manjhi S/o Tufani Manjhi @ Tufani Majhi Resident
of Village - Ekderwa, P.S. - Matiyaria, District - West champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate.

For the Opposite Party/s : Mr. APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with

Matiyaria P.S. case no. 47 of 2021 registered for the offences

punishable under Sections 366A/34 of the Indian Penal Code

and Section 8/12 POCSO Act.

As per allegation this petitioner and co-accused

persons kidnapped informant's minor daughter aged about 15

years.

The main submissions advanced by learned counsel

for the petitioner are that the allegation made in the FIR against



the petitioner is general and omnibus, the victim has recorded her statement under Section 164 Cr.P.C in which she has not supported the allegation of the FIR and stated that she left the house of her parents according to her own will due to out of the anger as she was beaten up by her mother.

Learned APP has opposed the prayer for bail.

In view of the above submissions and considering the victim's statement recorded under Section 164 Cr.Pc by the Judicial Magistrate concerned in presence of victim's mother in which the said victim flatly denied the allegation of the FIR and the facts revealed by her before the Judicial Magistrate completely go against the prosecution story mentioned in the FIR, in the opinion of this Court the petitioner deserve privilege of bail, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Matiyaria P.S. case No. 47 of 2021.

(Shailendra Singh, J)

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