

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14268 of 2022

Arising Out of PS. Case No.-763 Year-2021 Thana- SIKARPUR District- West Champaran

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ARJUN KUMAR MAHATO @ ARJUN MAHATO @ ARJUN KUMAR S/o
Satyanarayan Mahato @ Stya Narayan Prasad R/o Village- Rupdih, P.S.-
Bettiah (Muffasil), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 13-07-2022 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 State.

Petitioner seeks regular bail in a case registered for the

offence punishable under Sections 363, 366A of the Indian Penal

Code and sections 8, 12 of the POCSO Act.

Allegedly, informant's minor daughter aged about 15 years

was kidnapped by the petitioner with an intent to marry.

The main submissions advanced by the learned counsel

for the petitioner are that so-called victim has been recovered and her

statement has been recorded under section 164 Cr.P.C in which she

accepted her age to be 21 years and learned Magistrate has also

assessed her age as 19 years. Accordingly, she is major and she has



also stated that she has married the petitioner, petitioner has been languishing in jail since 28.12.2021 having clean antecedent.

Learned APP opposes the prayer for bail.

Considering the statement of the victim recorded under section 164 Cr.P.C which completely goes against the prosecution allegation, in my view, petitioner deserves 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 the Addl. Sessions Judge VII-cum- Special Judge POCSO, Bettiah, West Champaran in Shikarpur P.S Case No. 763 of 2021.

(Shailendra Singh, J)

s.hassan/-

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