

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17123 of 2022

Arising Out of PS. Case No.-130 Year-2021 Thana- SAMASTIPUR District- Samastipur

VICKY Son of Late Bhushan Sahni Resident of Mohalla - Magardahi Ghat,
P.S.- Samastipur Town, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Bharat Bhushan

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 366(A), 34 of the Indian Penal Code and Section 17 and 18 of the POCSO Act.

The petitioner and co-accused persons are said to have kidnapped the victim girl aged about 14 years for the purpose of marriage. When the informant went to the house of the co-accused Guddu Kumar to complain, the family members of the co-accused threatened her.

Learned counsel for the petitioner has submitted that the



petitioner is innocent and he has falsely been implicated in this case due to dirty village politics. Learned counsel for the petitioner has further submitted that Section 12 of the POCSO Act is not applicable in this case. Learned counsel for the petitioner has also submitted that the petitioner was present when the informant went to make complaint to the house of co-accused. The victim was also recovered. The petitioner has clean antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 12.02.2022.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – VI – cum – Special Court, POSCO, Samastipur in connection with Samastipur Town P.S. Case No. 130 of 2021.

The application stands allowed.

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(Chandra Prakash Singh, J)

