

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37888 of 2022

Arising Out of PS. Case No.-123 Year-2020 Thana- NAUHATTA District- Saharsa

MURARI ROY Son of Sushil Roy Resident of village - Ekardh Ward No.- 5,
P.S.- Nauhatta, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Thakur

For the Opposite Party/s : Mr.Sucheta Yadav

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

ORAL ORDER

2 29-09-2022 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 A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363 and 366A read with 34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

As per the prosecution case, the petitioner and co-accused persons are alleged to have forcibly kidnapped the minor daughter of the informant.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that the victim girl in her statement recorded under section 164 of the Cr.P.C has not stated the name of the petitioner in the crime alleged. The victim girl has love affair with the co-accused person Nandan Kumar. A case under POCSO Act is not made out against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.06.2022.

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

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saharsa in connection with Nauhatta P.S. Case No. 123 of 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

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