

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 38031 of 2022

Arising Out of PS. Case No.-252 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Anil Mahto Son of Nandu Mahto Resident of Village - Harkaina, P.s.
Muffasil, District - East Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Adv.
	:	Mrs. Rashmi Jha, Adv.
For the Opposite Party/s	:	Mrs. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 23-11-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Muffasil P.S. Case No. 252 of 2022 lodged under Sections 363,
366(A), 34 of the I.P.C. and Section 08 of POCSO Act.

As per the prosecution, case has been filed against 5
named accused persons, including the present petitioner, who
alleged to kidnap the daughter of the informant with a view to
marry her.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 19.04.2022 having
clean antecedent. He also submits that case diary has been
called for and from the case diary it transpires that victim girl
has been recovered and she has given her statement under
Section 164 of Cr.P.C. in which, she has not alleged anything

against anyone. And she has stated in her Section 164 statement that with consent, her marriage has been solemnized with the brother of the petitioner. Learned counsel further submits that name of the petitioner has been figured in this case only due to the reason that petitioner is the brother of the person to whom the victim girl solemnized her marriage.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil P.S. Case No. 252 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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