

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43701 of 2022

Arising Out of PS. Case No.-1 Year-2022 Thana- BARABAR TOURIST District- Jehanabad

Santosh Raut @ Santosh Kumar Son Of Shyam Raut @ Shyam Prasad R/O
Village- Parsauna P.S- Barabar Paryatak, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-11-2022 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 Barabar Paryatak P.S. Case No. 01 of 2022 registered for the offences punishable under Sections 366(a)/34 of the Indian Penal Code and Section 8 of POCSO Act.

As per the Prosecution, informant's daughter aged about 17 years went along with co-accused Shakuntla Devi and thereafter did not return back and the informant suspected that her daughter had been kidnapped by the accused persons including the petitioner.

The main submissions advanced by the learned counsel Mr. Sharda Nand Mishra, appearing for the petitioner



are that the so-called victim has recorded her statement before the Judicial Magistrate under Section 164 Cr.P.C. in which she denied the allegation of FIR and did not make any allegation against the petitioner in her statement.

Learned APP Mr. Binod Kumar No.3 appearing for the State has opposed the bail prayer.

In view of above submissions and mainly considering the victim's statement recorded under Section 164 Cr.P.C. filed as Annexure – 2 which goes against the allegation of the prosecution and according to her statement she accepted her matrimonial relation with co-accused Vikash Kumar and no allegation was made by her against the petitioner in her statement, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, 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 concerned Court in connection with Barabar Paryatak P.S. Case No. 01 of 2022.

(Shailendra Singh, J.)

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