

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53965 of 2021

Arising Out of PS. Case No.-99 Year-2020 Thana- BALTHAR District- West Champaran

SUBHASH MISHRA SON OF BIGU MISHRA RESIDENT OF VILLAGE-
FULIYA KHAND, POLICE STATION- BAIRIYA, DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. B. N. Mishra, Adv.
Mr. Brij Kishor Mishra, Adv.
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 13-05-2022 Heard Mr. B. N. Mishra, learned counsel for the
petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with
Balthar PS Case No. 99/2020 registered for the offence
punishable under Sections 366(A)/34 of the IPC and Section 08
of the POCSO Act.

The allegation, as per First Information Report, is that
the petitioner along with other co-accused persons abducted the
daughter of the informant for the purpose of marriage.

Learned counsel for the petitioner submits that as per
FIR, the occurrence has taken place on 08.11.2020 at about 4:30
AM and the FIR has been lodged after a delay of two days i.e.,



on 10.11.2020. He next submits that the petitioner has falsely been implicated in this case merely because he happens to be father of the co-accused, Awadhesh Mishra who was having love affair with the daughter of the informant and both the persons i.e., daughter of the informant and son of the petitioner, Awadhesh Mishra fled away from their respective houses out of their own volition. Learned counsel further submits that the petitioner is not aware about the whereabouts of his son and the informant's daughter and he is in custody since 24.01.2021. Charge-sheet has been submitted in the matter.

Regards being had to the submissions made by the parties and taking into consideration the fact that the petitioner is father of the co-accused, Awadhesh Mishra with whom the daughter of the informant was in love, petitioner is in custody since 24.01.2021, charge-sheet has been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, SUBHASH MISHRA be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 7th -cum-



Special Judge (POCSO) Act, Bettiah, West Champaran in
connection with Balthar PS Case No. 99/2020.

(Anil Kumar Sinha, J)

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