

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45393 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- BANSHI District- Jehanabad

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Raj Kumar Mishra Son of Late Birendra Mishra Resident of Village -
Dharampur, Pandil, Barka Gauwn, P.S. Kurtha, District - Arwal.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-11-2022 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
Banshi P.S. Case No. 54 of 2022 registered for the offences
punishable under Sections 354, 363 and 511 of the Indian Penal
Code and Sections 8 and 12 of the POCSO Act.

As per the prosecution, the informant alleged that this
petitioner induced the informant's minor daughter aged about 7
years to come along with him with an intention to kidnap the
informant's daughter.

The main submissions advanced by the learned
counsel Mr. Paras Nath appearing for the petitioner are that the
petitioner has fair and clean antecedent, in fact on the alleged



date and time of occurrence the petitioner was caught merely on suspicion and at that time he went to informant's village to perform some kind of *pooja* and when a halla was made the villagers of the informant's village caught the petitioner in suspicion but after that the informant realized his mistake and filed a petition before the Court below revealing the innocence of the petitioner.

Learned APP Mr. Pushpa Sinha.1 appearing for the State has opposed the bail prayer.

Having considered the above submissions and mainly taking into account the petitioner's clean antecedent and his custody period and also the fact that against him the investigation has been completed and as per petitioner's counsel the trial has not commenced in respect of the petitioner's case, 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 Banshi P.S. Case No. 54 of 2022.

(Shailendra Singh, J.)

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