

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45799 of 2022

Arising Out of PS. Case No.-71 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

Chhotu Kumar Das S/O Mukesh Das Resident of Village- Gangti, P.S.-
Goradih, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 06-12-2022 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 learned APP
for the State.

Petitioner seeks regular bail in connection with Jagdishpur
P.S. Case No. 71 of 2022 registered for the offences punishable
under Sections 366 (A), 376 and 34 of the Indian Penal Code and
under Section 4 and 6 of POCSO Act.

As per the prosecution, the informant's daughter was
kidnapped by this petitioner along with other co-accused persons.

The main submissions advanced by learned counsel Mr.
Sanjay Kumar Jha, appearing for the petitioner are that the so-
called victim has been recovered, she has recorded her statement
before the Judicial Magistrate in which she has denied the

allegation of the FIR and accepted her matrimonial relationship as well as love affair with this petitioner and the FIR of the instant case was lodged 10 days after the alleged occurrence.

Learned APP appearing for the State has opposed the prayer for bail.

Having regard to the facts and circumstances of this case, considering the above submissions and mainly the facts revealed by the so-called victim before the Judicial Magistrate while recording her statement under Section 164 of Cr.P.C which have been mentioned in the statement made by the petitioner in his petition and also the same has been discussed in the order impugned which goes against the allegation made in the FIR, in the opinion of this Court the petitioner who is a young boy having clean antecedent deserves to a lenient approach of this Court. Accordingly, let the petitioner be enlarged 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 Jagdishpur P.S. Case No. 71 of 2022.

(Shailendra Singh, J.)

maynaz/-

U		T	
---	--	---	--