

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59326 of 2021**

Arising Out of PS. Case No.-3 Year-2021 Thana- SONBERSA District- Sitamarhi

MANISH KUMAR Son of Keshwar Mahto @ Khadi Mahto Resident of
Village - Parsa Kala, P.S.- Sonebarsa, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Ms.Anita Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 12-09-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Sonebarsa P.S. Case No. 03 of 2021 registered for offence
punishable under sections 363, 366(A)/34 of the Indian Penal
Code and Section 8 of the POCSO Act.

As per allegation, the petitioner and other accused
persons enticed away the minor daughter of the informant.

The learned counsel for the petitioner has submitted that
though the victim has stated about complicity of the present
petitioner, but as a matter of fact, the petitioner and the victim are
in love and affection. He has submitted further that the victim is



still residing with the petitioner.

Considering the above-mentioned facts and circumstances, let **the petitioner above-named**, in the event of his arrest or surrender, within four weeks from today, **be released on bail provisionally for three months** on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Sitamarhi in connection with Sonebarsa P.S. Case No. 03 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

In the meantime, the learned court below shall ascertain the fact whether the victim is residing with the petitioner or not and if it is found that she is residing with the petitioner, the provisional bail of the petitioner shall be confirmed by the court below itself.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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