

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63310 of 2021

Arising Out of PS. Case No.-464 Year-2021 Thana- SHERGHATI District- Gaya

BINAY PASWAN S/o Jagarnath Paswan @ Jagannath Paswan R/o Mohalla-
Garh, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-05-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 366A and 34 of the Indian Penal Code and sections 8 and 12 of the POCSO Act.

As per the prosecution case, minor daughter of the informant was kidnapped by Nitesh Kumar and it is stated that this petitioner assisted Nitesh Kumar in the commission of crime.

It is submitted by learned counsel for the petitioner that he has been falsely implicated in the case only for the reason that he happens to be the brother of the main accused Nitesh Kumar. The daughter of the informant returned. Even in her statement under section 164 Cr.P.C she has not leveled



allegations against this petitioner. The petitioner is in custody since 2.8.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation, the statement under section 164 Cr.P.C of the daughter of the informant, the petitioner having remained in custody for 9 months and investigation in the case having concluded, the Court directs the petitioner to be enlarged on bail in connection with Sherghati P.S. Case no. 464 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ADJ-VII-cum-Excl. Spl Judge (POCSO Act), Gaya.

(Partha Sarthy, J)

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