

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69771 of 2021

Arising Out of PS. Case No.-294 Year-2021 Thana- DHAKA District- East Champaran

NAUSHAD @ MANSOORI SON OF OLI MOHAMAD MANSOORI
Resident of Village - Fulawaria, P.S.- Dhaka, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-05-2022 Heard both sides.

Petitioner seeks regular bail in connection with P. Tr.
No. 115 of 2021 arising out of Dhaka PS Case No. 294 of 2021
registered for the offence under Sections 363, 366 (A) , 34 of
the IPC.

Petitioner is said to have kidnapped the minor niece of
the informant.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and
subsequently without any material charge sheet under Section
363, 366 A & 376 of the IPC and Section 4 / 8 of the POCSO
Act has been submitted. He next submits that the victim girl
has been recovered and she was examined by the doctor and the
doctor has assessed her age as 18 years. The statement of the



victim girl was recorded under Section 164 of the Cr.P.C. (Annexure- P / 2 to the bail petition) in which she has disclosed her age as 18 years and she further stated that she went with the petitioner voluntarily and solemnized marriage with him. There is no allegation of sexual abuse in the statement made by the victim girl recorded under Section 164 of the CrPC. The petitioner is in custody since 28 / 07/ 2021.

Regard being had to the submissions made by the parties, taking into consideration the statement of the victim girl recorded under Section 164 of the Cr.P.C., the fact that petitioner is having clean antecedent and he is in custody since 28-07-2021 , as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO , Motihari, East Champaran in connection with P.Tr. No. 115 of 2021 arising out of Dhaka PS Case No. 294 of 2021.

(Anil Kumar Sinha, J)

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