

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71384 of 2021

Arising Out of PS. Case No.-216 Year-2020 Thana- KHARHAGPUR District- Munger

KUNDAN KUMAR Son of Ranjeet Kumar Resident of Village - Chhoti
Mudheri (Ratetha), P.S.- Haveli Kharagpur, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 18-10-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with
POCSO Case No. 84 of 2020 arising out of Kharagpur, P.S.
Case No. 216 of 2020 registered for the offences punishable
under Section 366(A)/34 of IPC and Section 08 of POCSO Act.

As per prosecution case, petitioner alongwith
others kidnapped the daughter of the informant.

Learned counsel for the petitioner submits that
petitioner is in custody since 10.08.2021 and bears no criminal
antecedent. He further submits that from perusal of FIR, it is
evident that the informant and petitioner are none else rather co-



villagers. He further submits that petitioner is quite innocent and falsely implicated in the case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner which is quite consistent with the statement of victim recorded under Section 164 of Cr.P.C.

Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner coupled with statement of victim recorded under Section 164 of Cr.P.C as well as material available on record, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the present petitioner is hereby rejected.

(Alok Kumar Pandey, J)

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