

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2526 of 2023**

Arising Out of PS. Case No.-431 Year-2022 Thana- PIRO District- Bhojpur

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ARYAN KUMAR SINGH MAHTO @ ARYAN KUMAR S/O ANUP KUMAR @ ANUP KUMAR SINGH MAHTO Resident of Village- Saraiya Tola, P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Surendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 31-07-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Section 366(A) of the Indian Penal Code but charge-sheet has been submitted under Sections 366(A), 376(3) of the IPC and Section 4 of the POCSO Act.

3. The allegation against the petitioner along with another is of kidnapping the daughter of the informant for the purpose of marriage.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that the victim girl has recovered and her statement has been recorded u/s 164 of the



Cr.P.C., wherein, she stated that she fled away with this petitioner own her sweet-will and solemnized marriage with the petitioner, which is annexed in the para-22 of the case diary. She further stated that she does not want to medical examine. From the perusal of the progress report of the trial Court, it appears that the charge-sheet has been framed and trial is fixed for prosecution evidence. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 27.08.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Piro P.S. Case No. 431 of 2022.

(Sunil Kumar Panwar, J)

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