

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4634 of 2023

Arising Out of PS. Case No.-103 Year-2022 Thana- SINGHESHWAR District- Madhepura

Dilkhush Kumar Son Of Manoj Malakar Resident Of Village- Ward No.-7,
Patori, P.S.- Singheshwar, District- Madhepura

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

The prosecution case in nutshell is that when the wife and minor daughter of the informant was walking at the door of her house, petitioner along with other co-accused persons abducted the minor daughter of the informant on gun point and when the informant made complaint to the family of petitioner about the



incident and asked about his daughter, they threatened him and denied to return his daughter.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is inordinate delay of 4 days in lodging the F.I.R. It is further submitted that victim suo-motto returned and she has not whispered about the complicity of this petitioner in her statement recorded under Section 164 of Cr.P.C. She has stated that she was in love with the petitioner and she went with the petitioner with her own sweet will. She has not alleged about any wrong with her by the petitioner. the alleged offence. Moreover, the petitioner is languishing in judicial custody since 12.05.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration 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 in connection with Singheshwar P.S. Case No. 103 of 2022 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 A.D.J. VI-cum-Special Judge (POCSO) Madhepura.

(Sunil Kumar Panwar, J)

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