

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5034 of 2023

Arising Out of PS. Case No.-54 Year-2022 Thana- SAKURABAD District- Jehanabad

VIMAL PRASAD S/o Late Ramnarayan Prasad @ Late Ram Narayan Pd.
R/o Village- Ratna, P.S.- Shakurabad, Distt- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajesh Paswan S/o Late Sohan Paswan R/o Village- Ratni, P.S.- Shakurabad,
Distt- Jehanabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

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 prayed for regular bail in a case registered for the offence punishable under sections 365, 366, 354, 376 of the Indian Penal Code, Section 8 of the POCSO Act and Sections 3(i)(b)(r)(s)(w)/3(2)(va) of the SC/ST (POA) Act.

The prosecution story, in brief, on 31.3.2022 while daughter of the informant was going then the accused persons including the petitioner kidnapped her on the pretext of solemnization of marriage. Thereafter, the informant went at the house of co-accused persons then they were started abusing by taking his caste name.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is as alleged uncle of the main accused namely, Sanjit Kumar due to this reason he has falsely been implicated in this case. It is further submitted vide para-7 of the petition that the petitioner has no concern with the family of main accused Sanjit Kumar and a partition has been already taken place between father of Sanjit Kumar and the petitioner and in support of this Annexure-4 has been annexed with this petition. The petitioner has not taken the caste name in public view hence, the provision of SC/ST Act is not made out against him. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 13.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sakurabad P.S. Case No. 54 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of
learned Additional Sessions Judge-VI-Cum-Special Judge,
POCSO Act, Jehanabad.

(Sunil Kumar Panwar, J)

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