

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6284 of 2023

Arising Out of PS. Case No.-448 Year-2022 Thana- NAUTAN District- West Champaran

MUKESH KUMAR Son of Ramesh Yadav Resident of Village- Gahiri Kothi,
P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner registered for the offence punishable under Sections 366A/34 of the Indian Penal Code and Section 8 of the POCSO Act.

Prosecution case relates to abduction of minor daughter aged about 16 years of the informant by the petitioner while she had got for call of nature at 9.00 PM on 18.08.2022.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is love affair between the petitioner and daughter of the informant. Victim was in talking term with the petitioner. Statement of the victim girl was recorded u/s 164 Cr.P.C. in



which she has stated that out of her own sweet will, she has eloped with the petitioner and performed marriage with him in Shiv temple, Danapur. She has not raised any finger against the petitioner for any overt act. Petitioner has no criminal antecedent and languishing in judicial custody since 25.11.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Additional Sessions Judge VI-cum-Special Judge, POCSO, Bettiah, West Champaran in connection with Nautan P.S. Case No. 448 of 2022.

(Sunil Kumar Panwar, J)

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