

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6742 of 2023

Arising Out of PS. Case No.-5 Year-2022 Thana- MAHILA P.S BAGHA District- West
Champaran

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KISHAN BEEN @ KRISHNA KUMAR Son of Late Suresh Been Resident
of Rampur Bagicha Tola, P.S.- Laukariya, District- West Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta
For the Opposite Party/s : Mr. Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-05-2023 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 363, 366(A), 504, 506/34 of the Indian Penal Code and Section 8 of the POCSO Act.

As per F.I.R., allegation against the petitioner is of abduction of the informant's daughter on the pretext of solemnization of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of case diary, it appears that the victim girl was recovered and her statement has been recorded under section 164 of Cr.P.C., wherein, she did



not support the prosecution version and stated that she fell in love with the petitioner and went with him to Punjab out of her own sweet will. She did not whisper any complicity of the petitioner in the alleged offence. The victim girl blessed with one child and presently residing in the house of petitioner. The petitioner has got no criminal antecedent and languishing in judicial custody since 5.12.2022.

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 Bagha Mahila P.S. Case No. 05 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 District and Sessions Judge VIIth-Cum-Special Judge (POCSO), West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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