

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8210 of 2023

Arising Out of PS. Case No.-99 Year-2022 Thana- PARASBIGHA District- Jehanabad

PAWAN DAS @ PAWAN KUMAR S/o Vilash Das R/o Village- Makarpur,
P.S.- Makhdumpur, Distt- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Pankaj
For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 05-07-2023 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) of the Indian Penal Code and Section 8 of the POCSO Act.

According to the FIR, prosecution case relates to abduction of minor daughter of the victim by the accused petitioner 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. The victim girl was recovered and her statement u/s 164 of Cr.P.C. has been recorded wherein, she stated that she went with petitioner. The victim did not whisper about physical misbehave or assault committed by the petitioner. From perusal of para-46 of the case



diary, the victim also stated before police that she went to Bangalore with the petitioner for the purpose of picnic. The medical report which is annexed as Annexure-2, does not in consonance with the prosecution allegation regarding physical abuse and the victim is at the verge of majority. 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 17.7.2022.

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 Parasbigha P.S. Case No. 99 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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