

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7496 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- PHULPARAS District- Madhubani

CHANCHAL KUMAR MUKHIYA Son of Dilip Mukhiya Resident of
Village- Narendra Pur Neur, P.S.- Andhramath, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 363, 366(a) of the IPC and section
8 of the POCSO Act.

Allegedly, the petitioner, in connivance with his parents,
under a conspiracy, after luring the minor daughter of the
informant took her away with intention of marriage.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to ulterior motive.
No such occurrence, in the manner as alleged, has ever taken
place. The statement of the victim was recorded u/s 164 Cr.P.C.,
in which, she has not supported the prosecution case. This fact



has also come in the impugned order. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the statement of the victim, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Phulparas P.S. Case No.217 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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