

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8642 of 2023

Arising Out of PS. Case No.-786 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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SANJAY MAHATO S/O LAXMAN MAHTO Resident of Mahna Bazar, P.S.-
Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 363 and 366A of the
Indian Penal Code and Sections 8 and 12 of the POCSO Act.

As per prosecution case, the co-accused namely,
Arvind Kumar kidnapped the minor daughter of the informant.
It is further alleged that the petitioner and co-accused, on a hired
Car, informant's daughter has been kept somewhere at Village-



Mahana.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. The petitioner happens to be brother-in-law of the co-accused Arvind Kumar and he has been implicated in this case, merely on suspicion that, too without assigning any specific role in the alleged incident. He submitted that, the informant's daughter and co-accused Arvind Kumar are in their adolescence and they have probably eloped in background of love affair and both have not traced out yet. There is no role on the part of petitioner in the entire episode. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 02.11.2022.

The application for bail is opposed by learned APP for the State and submitted that this petitioner has assisted the main co-accused namely, Arvind Kumar in fleeing away the victim girl.

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 District and Sessions Judge Vith-cum-Special Judge (POCSO), West Champaran at Bettiah in connection with Bettiah Town P.S. Case No. 786 of 2022.

(Sunil Kumar Panwar, J)

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