

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7993 of 2023**

Arising Out of PS. Case No.-332 Year-2022 Thana- BAGHA District- West Champaran

Santosh Das S/o Banarsi Das R/o Hawaii Adda, Valmikinagar, P.S.-  
Valmikinagar, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Rajendra Prasad Nat

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

4      19-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 363, 366A, 34 of the Indian Penal Code. Later on Section 8 of POCSO Act was added.

The allegation as per F.I.R. is that the daughter of the informant, aged about 17 years has been kidnapped by the petitioner with intention to marry or prostitution or to sell.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. As per statement of the victim girl recorded u/s164 of Cr.P.C., she has not whispered about the complicity of this petitioner in respect of kidnapping. She has specifically stated that she went with the petitioner to Delhi out of her own



sweet will. It is also submitted that petitioner is languishing in judicial custody since 09.11.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bagaha (Patkhauri) P.S. Case No.332 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 7<sup>th</sup> -cum-Special Judge (POCSO), West Champaran at Bettiah.

**(Sunil Kumar Panwar, J)**

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