

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9824 of 2023

Arising Out of PS. Case No.-9 Year-2022 Thana- MAHILA P.S BAGHA District- West
Champaran

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JITENDRA KUMAR SRIVASTAVA S/O SRI RABINDRA PRASAD
SRIVASTAVA @ RAVINDRA PRASAD R/v- Sahasrao, P.S.- Bhairoganj,
District- West Champaran At present R/v- Bairiya Khurd, Harnatand, P.S.-
Laukariya, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. BRIJNANDAN KOHAR S/O LATE RAMCHANDRA KOHAR R/v-
Bairiya Khurd, Harnatand, P.S.- Laukariya, District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2023 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, 366A,
504/34 of the Indian Penal Code.

The prosecution case, in brief, is the informant has
made allegation against the petitioner is that he abducted her
daughter for illicit purpose.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. It is further submitted that
the victim girl was recovered and her statement has been



recorded under section 164 of Cr.P.C. which is annexed with the case diary, wherein, she did not support the prosecution version and stated that the petitioner has not taken away the victim rather she went from her home out of her own sweet will. She did not whisper any complicity of the petitioner in the alleged offence. The petitioner has got no criminal antecedent and languishing in judicial custody since 17.11.2022.

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 Bagaha Mahila P.S. Case No. 09 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-VII-cum-Special Judge, under POCSO Act, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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