

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9100 of 2023

Arising Out of PS. Case No.-389 Year-2022 Thana- NAUTAN District- West Champaran

Bijay Kumar @ Vijay Kumar Son Of Jiut Mahto R/O Village- Majhariya
Kishun, P.S.- Jagdishpur, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 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), 504, 506/34 of the Indian Penal Code and Section 8 of the POCSO Act.

The prosecution case, in brief, is that the informant alleged that her daughter, aged about 17 years, went to attend the nature's call but she did not return. Thereafter, the informant came to know that her daughter has been kidnapped by the accused persons including the petitioner after that, this case has been lodged.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of impugned



order, the victim girl was recovered and her statement has been recorded under section 164 of Cr.P.C., wherein, she did not support the prosecution version and stated that she went from home with this petitioner and also solemnized marriage with him out of her own sweet will. 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 29.11.2022.

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 Nautan (Jagdishpur) P.S. Case No. 389 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, Bettiah, Dist- West Champaran.

(Sunil Kumar Panwar, J)

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