

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9862 of 2023

Arising Out of PS. Case No.-554 Year-2022 Thana- SURSAND District- Sitamarhi

Rajan Kumar Son Of Lochan Purve R/O Village- Pipra Bisanpur, P.S.-
Parihar, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

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 u/s 363, 366A/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 14 years, went to nature's call but she did not return. Thereafter, the informant came to know that her daughter has been kidnapped by the accused persons and when she went to petitioner's house, his family members threatened and abused her.

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 her home out of her own sweet will. She did not whisper any complicity of the petitioner in the alleged offence. 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 2.11.2022.

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 Sursand P.S. Case No. 554 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 Act, Sitamarhi.

(Sunil Kumar Panwar, J)

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