

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9281 of 2023

Arising Out of PS. Case No.-567 Year-2022 Thana- SITAMARHI District- Sitamarhi

BALMIKI KUMAR Son of Sri Arvind Thakur Resident of Village- Rajwara,
P.S.- Sonebarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh
	:	Smt. Sivya Bharti, Adv
For the Opposite Party/s	:	Mr. Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 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, 366, 323, 504/34 of the Indian Penal Code.

The prosecution case, in brief, is that the informant alleged that his minor daughter went to Goenka college, Sitamarhi for taking admission but she did not return. Thereafter, the informant came to know that his daughter has been kidnapped by the accused persons and when he went to petitioner's house, his family members threatened and abused him.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. From perusal of impugned order, it appears that the victim girl was recovered but she did not support the prosecution version in her statement recorded under section 164 of Cr.P.C. It is further submitted that the petitioner is languishing in judicial custody since 31.8.2022.

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 Sitamarhi P.S. Case No. 567 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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