

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10112 of 2023

Arising Out of PS. Case No.-280 Year-2022 Thana- PIPRA District- East Champaran

Akhilesh Mahto @ Akhilesh Kushwaha S/O Shivnath Mahto R/V-
Chintamanur, P.S.- Pipra, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Uday Chand 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 filed the instant application for grant of regular bail in connection with Pipra P.S. Case No. 280 of 2022 registered under section 366A of the Indian Penal Code and Section 8 of the POCSO Act.

Allegation against the co-accused person is that he abducted the daughter of the informant and later on he handed over the informant's daughter to the petitioner.

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 from perusal of the impugned order, in which it is mentioned that the statement of the victim was recorded under Section 164 of the



Cr.P.C., in which she has stated that she left her house and went to the house of the petitioner and solemnized marriage with him out of her own sweet will. The petitioner has not committed any offence as alleged in the F.I.R. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.11.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Pipra P.S. Case No. 280 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 7th Additional Sessions Judge cum Special Judge, POCSO Act, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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