

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10914 of 2023

Arising Out of PS. Case No.-95 Year-2022 Thana- SULTANGANJ District- Bhagalpur

Sukdev Kumar Sah @ Sukhdeo Kumar @ Sukhdeo Kumar S/O Nageshwar
Sah R/O Village- Gangapur, P.S.- Sultanganj, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandrasekhar Sharma

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-04-2023 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 Sultanganj P.S. Case No. 95 of 2022 registered under section 365 of the Indian Penal Code and later on cognizance has been taken under Sections 366(A) of IPC and Section 8 of the POCSO Act.

Prosecution case relates to abduction of the minor daughter of the informant.

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 statement of the victim was recorded under Section 164 of the Cr.P.C., in which she has not whispered any complicity of the



petitioner in the alleged offence and further she stated that she went with 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 26.05.2022.

The application for bail is vehemently opposed by learned APP for the State and learned counsel for the informant and further submitted that the victim is minor.

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 Sultanganj P.S. Case No. 95 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 Exclusive Special Judge (POCSO) -cum- 7th Additional District and Sessions Judge, Bhagalpur.

(Sunil Kumar Panwar, J)

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