

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13396 of 2023

Arising Out of PS. Case No.-32 Year-2022 Thana- CHORAUT District- Sitamarhi

Dasai Manjhi Son of Kishun Manjhi Resident of Village - Bhatawari Ward
No.- 11, P.S.- Choraut, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 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 and 366(A) of the Indian Penal Code and Section 10 of POCSO Act.

As per prosecution case, the minor daughter of the informant aged about 13 years was kidnapped by the petitioner on the allurement of marriage and on hectic search, she could not be traced.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to enmity. The informant is not the eye witness of the occurrence. It is also submitted that the victim girl was recovered and in her statement u/s 164 Cr.P.C., she did not support the prosecution case. It is further



submitted that after completing the investigation, petitioner has not been sent up for trial. He has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 22.02.2022.

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 period of 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 Charaut P.S. Case No. 32 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 Addl. Session Judge VI-cum-Special Judge (POCSO) Act, Sitamarhi.

(Sunil Kumar Panwar, J)

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