

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14541 of 2023

Arising Out of PS. Case No.-128 Year-2022 Thana- DHANKUND District- Banka

SANTOSH SAH Son of Sargun Sah RESIDENT OF VILLAGE- HASAI,
POLICE STATION-DHANKUND, DISTRICT- BANKA

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Sah Son Of Late Shaligram Sah Resident Of Village- Hasai, Police Station-Dhankund, District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-07-2023 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, 370, 372, 120(B) of the Indian Penal Code, section 5 of the ITPA and Sections 8 & 12 of the POCSO Act.

According to the FIR, the informant alleged that the he came to know that his daughter went missing thereafter, he raised suspicion that the petitioner along with co-accused persons kidnapped his daughter of illegal purpose.

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 village politics. The



victim girl recovered and her statement u/s 164 of Cr.P.C. has been recorded in which, she stated that the petitioner and other co-accused have taken her to Keul thereafter they left her. The victim girl did not state any complicity of the petitioner in respect of physical abuse or misbehave with her. The petitioner has got no criminal antecedent as stated in para-3 of the petition. It is further submitted that the petitioner is languishing in judicial custody since 20.12.2022.

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 Dhankund P.S. Case No. 128 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-6-Cum-Special Judge, POCSO Banka or concerned Court.

(Sunil Kumar Panwar, J)

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