

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13634 of 2023

Arising Out of PS. Case No.-617 Year-2022 Thana- BUXAR District- Buxar

Raj Kumar S/O Sri Kant Rajbhar R/O- Behind D.A.V. Public School, Buxar,
P.S.- Buxar Town, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 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 Buxar Town P.S. Case No. 617 of 2022 registered under sections 363, 365 of IPC after submitting charge sheet Sections 366A and 376/34 of the Indian Penal Code and Section 4 of the POCSO Act.

Prosecution case relates to abduction of the 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 merely on suspicion. The petitioner is not named in F.I.R. rather his name came into light in this case during the course of investigation. It is further submitted that there is delay of about 3 days in lodging the FIR without



giving any explanation. It is also submitted that the statement of the victims was recorded under Section 164 of the Cr.P.C. in she has not whispered any complicity of the petitioner in this alleged offence rather she voluntarily went from her house out of her own sweet will and this fact has been mentioned in the impugned order. 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 13.11.2022.

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 Buxar Town P.S. Case No. 617 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 Additional District and Sessions Judge VI, cum Special POCSO Act, Buxar.

(Sunil Kumar Panwar, J)

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