

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16700 of 2023

Arising Out of PS. Case No.-136 Year-2022 Thana- LAUKARIA District- West Champaran

Mahendra Mushar S/O Late Manbahali Mushar @ Manbhali Mushar Resident
Of Village- Sohariya, P.S.- Valmikinagar, District- West Champaran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 23-06-2023 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, 366A of the Indian Penal Code and Section 8 of the POCSO Act chargesheet has been submitted under Section 363, 366A, 376 of the IPC and Section 8 of the POCSO Act.

As per FIR, the allegation against the petitioner is that he kidnapped daughter of the informant by luring her with intention to marry.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. As per statement of the



victim recorded under Section 164 of the Cr.P.C., wherein she has stated that she was in love with the petitioner and she has consensual relationship with him and she has not stated about any physical misbehave and physical assault against the petitioner. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 21.12.2022.

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 Laukariya P.S. Case No. 136 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 District and Sessions Judge-VIIth-cum Special Judge, POCSO, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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