

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15917 of 2023**

Arising Out of PS. Case No.-486 Year-2022 Thana- PAKARIBARAW District- Nawada

Azad Kumar Son Of Anil Chaudhary @ Anil Chaudhari Village- Turkban @
Turkuban @ Turkvan Ps- Pakribarawan Dhamaul Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manisha Prakash

For the Opposite Party/s : Mr.Nirmala Kumari

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 26-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 376C, 366A, 370(A) of the Indian Penal Code and Sections 4, 5 and 6 of Human Illegal Traffic Act, 1956 and Sections 4/17 of the POCSO Act and Section 9/10 of Child Marriage Prohibition Act.

As per FIR, the allegation against the accused persons including this petitioner is that they kidnapped daughter of the informant for the purpose of ulterior motives.



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 the basis of suspicion. The FIR has been lodged after delay of five days without given any cogent reason. The victim is aged about 17 years and as per her statement recorded under Section 164 of the Cr.P.C., which is annexed with case diary, wherein she has stated that she was in love with this petitioner but she also stated that co-accused persons abducted her and solemnized marriage with another person but she has not specifically stated about any physical misbehaviour and physical assault against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 24.11.2022.

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



Pakribarawan (Dhamaul) P.S. Case No. 486 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 Additioanl District and Sessions Judge-VIth-cum
Special Judge, POCSO, Nawada.

(Sunil Kumar Panwar, J)

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