

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16590 of 2023

Arising Out of PS. Case No.-167 Year-2022 Thana- KAKO District- Jehanabad

Mithun Kumar Son Of Vijay Ram Resident Of Village - Derhsaiya, P.S. -
Kako, Distt. - Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan

For the Opposite Party/s : Mr. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 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 341, 323, 363, 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

The prosecution case, in brief, is that the informant alleged that his daughter, aged about 14 years, went to his sister's house but thereafter, she disappeared from 6:00 PM. The informant came to know that her daughter has been kidnapped by the accused persons including the petitioner on the pretext of solemnization of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The victim girl was



recovered and her statement has been recorded under section 164 of Cr.P.C. which is annexed as Annexure-2, wherein, she did not support the prosecution version and stated that she went from her home out of her own sweet will. She did not whisper any complicity of the petitioner in the alleged offence. The petitioner has got no criminal antecedent and languishing in judicial custody since 22.7.2022.

Learned APP appearing for the state and learned counsel for the informant have 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 Kako P.S. Case No. 167 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-VI-cum-Special Judge POCSO Act, Jehanabad.

(Sunil Kumar Panwar, J)

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