

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1141 of 2022**

Arising Out of PS. Case No.-301 Year-2020 Thana- PIPRA District- East Champaran

Munna Kumar S/O Vinod Prasad R/O Village- Khairi Maal, P.S.- Pipra,  
District- East Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Abhishek Kumar  
For the Respondent/s : Mr.Binay Krishna

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

4      16-03-2023                      Heard learned counsel for the appellant and  
  
learned Special P.P for the State.

The appellant has challenged the order dated 02.03.2022 passed by learned Additional Sessions Judge-VII-cum-Special Judge, POCSO Act, East Champaran at Motihari in connection with Pipra P.S. Case No. 301 of 2020 instituted for the offences punishable under Sections 341, 323, 364(A), 504, 506/34 of the Indian Penal Code and Sections 3(r)(s) (w)(1), 3(2)(va) of the SC & ST (Prevention of Atrocities) Act and Section 8 of the POCSO Act, whereby his prayer for being released on bail has been rejected.



The accusation is of kidnapping the minor daughter of the informant.

It is submitted by learned counsel for the appellant that appellant is innocent and he has falsely been implicated in this case. The appellant and the victim were in love with each other and the victim eloped with the appellant of her own sweet-will. The victim in her 164 Cr.P.C statement has also stated that she went along with the appellant of her own sweet-will. In her statement, she was inclined to solemnize the marriage with the appellant. The appellant is in custody since 02.03.2022. A statement has been made in para 3 of the petition that appellant has no criminal antecedent.

Taking into account the aforesaid facts, this Court deems it appropriate to set aside the order dated 02.03.2022 passed by learned Additional Sessions Judge-VII-cum-Special Judge, POCSO Act, East Champaran at Motihari in connection with Pipra P.S. Case No. 301 of 2020.



Accordingly, this appeal is allowed.

The appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, POCSO Act, East Champaran at Motihari in connection with Pipra P.S. Case No. 301 of 2020.

**(Sunil Kumar Panwar, J)**

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