

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16534 of 2023

Arising Out of PS. Case No.-801 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Akhilesh Kumar @ Aklesh Kumar S/O Lalan Prasad Resident Of Village-
Dhekaha Karkuiya, P.S.- Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-05-2023 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 341, 323, 504, 506, 363, 365 of the Indian Penal Code and subsequently Section 366A of the IPC was also added and Section 8 of the POCSO Act.

As per FIR, the allegation against the petitioner along with co-accused person is that they kidnapped daughter of the informant for the purpose 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 is not recovered yet. The informant is not eye witness of the alleged



occurrence and not a single witness has stated about the complicity of the petitioner in this alleged occurrence. It is further submitted that the FIR has been lodged after delay of nineteen days. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 30.11.2022.

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 Muffasil P.S. Case No. 801 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 6th Additional Sessions Judge-cum-Special Judge, POCSO Act, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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