

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18078 of 2023

Arising Out of PS. Case No.-62 Year-2019 Thana- BASANTPUR District- Siwan

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SURAJ PANDEY @ SURAJ KUMAR PANDEY S/O RAJESH PANDEY
R/O VILLAGE- BADARJIMI, P.S- BHAGWANPUR HAT, DISTT.- SIWAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
the offence punishable u/s 366(A)/34 of the IPC and section 8/5
of POCSO Act.

Allegedly, the petitioner is said to have taken away the
daughter of the informant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
leveled against the petitioner is not specific rather general and
omnibus in nature. Statement of the victim was recorded u/s 164
Cr.P.C., in which, she stated that she voluntarily went with the



petitioner. This fact has also come in the impugned order. The date of birth of the victim, as per school certificate is 10.12.2001 whereas the date of occurrence is 24.02.2019, which shows that she was aged about 17 years and two months. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the statement of the victim recorded u/s 164 Cr.P.C., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Basantpur P.S. Case No.62/19, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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