

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18612 of 2023

Arising Out of PS. Case No.-600 Year-2022 Thana- BARARI District- Bhagalpur

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Rahul Kumar @ Rahul Kumar Das S/O Ratan Das R/O Village-Refuji
Colony, P.S- Barari, Distt.- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-05-2023 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 section 366(A) of the Indian Penal Code and Section 8 of the POCSO Act.

As per FIR, the allegation against the co-accused person is that he enticed away the 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. The petitioner is friend of the co-accused due to which he has falsely been implicated in this case. The petitioner is not named in the FIR and FIR has been lodged after delay of 6



days. As per statement of the victim recorded under Section 164 of the Cr.P.C. wherein victim stated that she went with this petitioner with her own sweet-will and thereafter they solemnized marriage on 15.07.2022. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.07.2022.

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 Kotwali (Barari) P.S. Case No. 600 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 District and Sessions Judge-VI-cum-Special Judge, POCSO, Bhagalpur.

(Sunil Kumar Panwar, J)

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