

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24232 of 2022

Arising Out of PS. Case No.-474 Year-2019 Thana- KESARIA District- East Champaran

KRISHNA MUKHIYA S/o Umesh Mukhiya Resident of Village- Bankat,
P.S.- Kesariya, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alka Singh, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 12-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 366A and 34 of the Indian Penal Code to which section 376D of the Indian Penal Code and sections 6 and 17 of the POCSO Act were added subsequently.

As per the prosecution case, it is stated by the informant that his 15 year old daughter who had gone out to ease herself was kidnapped by the four named accused persons for the purpose of marriage.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The daughter of the informant is a major and marriage was solemnized between the informant's daughter and co-accused



Bishun Kumar @ Vishun Mukhiya. It is further submitted that the petitioner is in custody since 26.11.2021, charge sheet has been submitted in the case and the case of the petitioner stands on a similar footing to that of co-accused Vishun Kumar @ Vishun Mukhiya who has been enlarged on bail vide order dated 5.8.2021 (Annexure-P/2) passed in Cr. Misc. no 9054 of 2021.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, charge sheet having been submitted in the case and grant of bail to the aforesaid co-accused Vishun Kumar, the Court directs the petitioner to be enlarged on bail in connection with Kesariya P.S. Case no. 474 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge VII-cum-Special Judge, POCSO Act, East Champaran at Motihari.

(Partha Sarthy, J)

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