

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24683 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- SITAMARHI District- Sitamarhi

Shiv Shankar Mahto Son Of Laxman Mahto R/O Village- Chak Mahila
Madhuban Road, P.S.- Sitamarhi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar
For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-05-2023 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 363, 366A/34 of the Indian Penal Code.

As per FIR, the allegation against the petitioner is that he abducted the daughter of the informant for the purpose of ulterior motives.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on the basis of suspicion. The FIR has been lodged after delay of approximately 44 days of the alleged occurrence without given any cogent reason. As per impugned order, the



statement of the victim recorded under Section 164 of the Cr.P.C. wherein she stated that she went with this petitioner with her own sweet will and she did not whisper of any wrongdoings against the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 10.02.2023.

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 Sitamarhi P.S. Case No. 47 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, VI-cum-Special Judge (POCSO Act) Sitamarhi.

(Sunil Kumar Panwar, J)

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