

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26902 of 2023

Arising Out of PS. Case No.-154 Year-2023 Thana- MAJHAULIA District- West Champaran

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Suman Kumar @ Suman Patel, Male, aged about 20 years, S/O Bigu Patel
Resident Of Village- Pandey Tola, Ward No.- 10, P.S.- Muffasil, District-
West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Ms. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks bail in connection with

Majhauiliya P.S. Case No. 154 of 2023 dated 18.02.2023, for the

offences punishable under Sections 363, 366(A), 504, 506 read

with 34 of I.P.C. and 8/12 of POCSO Act.

3. The prosecution case, in short, is that on

22.12.2022 at 7 hours the informant's daughter aged about 17

years, who was student of class XII, went to the house of her

friend but did not return till late. The informant started searching

her daughter and in that course he came to know that she has

been abducted by the accused persons on the false pretext of

marriage. When the informant went to the house of the accused

person to enquire about her daughter, they threatened him and

drove him away. Thereafter a panchayati was also held.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. It is further submitted that during investigation statement of the victim girl has been recorded by the police under Section 161 Cr.P.C. in which she has accepted the intimate relationship between her and the petitioner. It is further submitted that the victim has clearly admitted about her marriage to the petitioner. Lastly, it has been submitted that the petitioner is a young boy aged about 20 years having clean antecedent rotting in jail custody since 19.02.2023. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO-cum-A.D.J.-VI, West Champaran, Bettiah in Majhaulia P.S. Case No. 154 of 2023.

(Khatim Reza, J)

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