

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27965 of 2023

Arising Out of PS. Case No.-28 Year-2023 Thana- SUPPI District- Sitamarhi

Roshan Kumar @ Roshan Ram @ Raushan Kumar @ Raushan Ram Son of
Late Ramadhar Ram R/V- Ratanpur Ps- Majorganj, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 24-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Suppi P.S.
Case No. 28 of 2023 dated 03.02.2023 registered for the
offences punishable under Sections 363 and 366(A)/34 of Indian
Penal Code and Section 8 of POCSO Act.
3. The main submissions advanced by learned counsel for
petitioner are that the petitioner is a young person having fair
and clean antecedent and has been languishing in jail since
11.02.2023 and against him the investigation has been
completed and the allegation levelled against the petitioner in
the FIR is totally false, in-fact the so-called victim went to Delhi
alone as her mother assaulted and scolded her and the said fact
has been stated by the victim before the Judicial Magistrate

while recording her statement under Section 164 of Cr.P.C. and the same finds place in the order impugned also and in view of the facts revealed by the victim before Judicial Magistrate, no offence as alleged in the FIR is made out against this petitioner.

4. Learned APP for the State opposes the bail prayer of the petitioner.

5. Considering the above submissions and mainly the petitioner’s young age as well as his fair and clean antecedent and the recovery of the victim and also the victim’s statement recorded under Section 164 of Cr.P.C. as discussed in the order impugned which goes against the allegations levelled in the FIR, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with **Suppi P.S. Case No. 28 of 2023.**

(Shailendra Singh, J)

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