

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30423 of 2023

Arising Out of PS. Case No.-776 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Vivek Kumar Son Of Rambhu Rai Resident Of Village- Dostiya, Police
Station- Lakhaura, District- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 22-08-2023 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 and Section 8 of the POCSO Act.

As per FIR, the allegation against the accused persons
including this petitioner is that they kidnapped daughter of the
informant due to 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 and he has got no criminal
antecedent. As per statement of the victim recorded under
Section 164 of the Cr.P.C., which is annexed with case diary,



wherein victim stated that the accused persons abducted her and stated that co-accused, namely, Guddu Kumar and Anish Kumar committed wrong with her but she has not stated about any wrong complicity of the petitioner in this alleged occurrence. It is further submitted that the petitioner is languishing in judicial custody since 05.11.2022.

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 Muffasil (Lakhaura) P.S. Case No. 776 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 6 Additional Sessions Judge-cum-Special Judge, POCSO, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

Manishkumar/-

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