

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32222 of 2023

In
CRIMINAL APPEAL (SJ) No.1545 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- BANMANKHI District- Purnia

MD. MUKHTAR ALAM @ MD. MUKHTAR S/O MD. JAHANGIR R/O
Village- Makhnaha, P.S- Banmankhi, Distt.- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yugender Sharma S/O Chedi Sharma R/O Village- Makhnaha, P.S- Banmankhi, Distt.- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.N. A. Shamsi
For the Opposite Party/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-07-2023 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, 365, 448, 504, 506/34 of the Indian Penal Code, Section 4 of the POCSO Act and Section 3(1)(r)(w) of the S.C./S.T Act.

According to prosecution case, the petitioner along with co-accused persons abducted the daughter of the informant. When the informant went to house of accused persons, they also started assaulting and abusing by taking his caste name.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case due to dirty village politics. The victim girl was recovered and her statement u/s 164 of Cr.P.C. has been recorded, in which she did not state any physical abuse or assault with her committed by the petitioner. As per medical report of the victim, her age was found to be above 20 years. The petitioner has got no criminal antecedent as stated in para-3 of the petition. Moreover, he is languishing in judicial custody since 25.9.2022.

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 him on bail. The above named petitioner is directed to be released on bail in connection with Banmankhi P.S. Case No. 318 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 6th Additional Sessions Judge cum-Special Judge, POCSO Act, Purnea.

(Sunil Kumar Panwar, J)

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