

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31360 of 2023

Arising Out of PS. Case No.-199 Year-2022 Thana- ISHAKCHAK District- Bhagalpur

CHHOTU MANDAL @ CHAMAK MANDAL Son of Ajay Mandal @ Ajay Ray Resident of Durga Asthan Gumti No. 2, Bhikhanpur, P.S. - Ishakchak, Distt. - Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 27-07-2023 Heard learned counsel for the petitioner and learned APP for the State.

The instant application for regular bail has been filed by the petitioner registered for the offence punishable under Sections 363, 366(A)/34 of the Indian Penal Code and Section 8 and 12 of the POCSO Act.

Prosecution case relates to abduction of minor daughter, aged about 13 years of the informant by the petitioner from her house and took her to Lucknow and then to Bhagalpur.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Allegedly, petitioner has abducted her and took her to lucknow and then to Bhagalpur, but in whole occurrence, she



has nowhere raised alarm for any help. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has not stated about any physical misbehavior against the petitioner. She has not raised any finger against the petitioner for any overt act. Petitioner is languishing in judicial custody since 28.09.2022.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that police has recovered the victim girl at Bhagalpur Railway Station and as per medical report, doctor opined her age below 16 years. .

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 16th Additional Sessions Judge, Bhagalpur in connection with Ishakchak P.S. Case No. 199 of 2022.

(Sunil Kumar Panwar, J)

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