

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32680 of 2022

Arising Out of PS. Case No.-167 Year-2022 Thana- FORBESGANJ District- Araria

SUMIT BHAGAT @ CHOTU BHAGAT Son of Prem Nath Bhagat Resident of Village and P.O.- Post Office chowk, Ward No.-5, P.S. - Forbesganj, District - Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bimlesh Sah S/o Sonelal Sah Resident of Tatma Tola, Ward No.-21 , P.S. - Forbesganj, District - Araria.
3. Jyoti Kumari D/o Ajay Sah Resident of Village - Forbesganj, Ward No.- 21, P.S. - Forbesganj, District - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 13-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 363, 366, 366A of the Indian Penal Code and sections 8 of the POCSO Act.

Prosecution case relates to abduction of the informant.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. In her statement recorded u/s 164 Cr.P.C. victim girl stated that has not named the petitioner for any wrongful act. She was abducted by one unknown and was taken to Napeal and then she was caught



at Nepal Border by S.S.B. Police. She has not made allegation of rape against anyone. Allegedly, she was being taken to Nepal by unknown person by train but surprisingly she has not raised alarm, which creates doubt in authenticity of the prosecution story. Petitioner is languishing in judicial custody since 22.03.2022.

The application for bail is opposed by learned APP for the State.

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 Special Judge POCSO, Araria in connection with Forbesganj P.S. Case No. 167 of 2022.

(Sunil Kumar Panwar, J)

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