

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36587 of 2023

Arising Out of PS. Case No.-163 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

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PRABHU PASWAN Son of Ratnesh Paswan Resident of village - Basantpur,
P.S. - Muffasil, Distt. - East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Opposite Party/s : Mr. Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-07-2023 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, 506/34 of the Indian Penal Code and Section 8 of the POCSO Act.

As per prosecution case, the informant alleged that the petitioner along with co-accused persons abducted his minor daughter on the pretext of wrongdoings.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of Annexure-2 as well as impugned order, the victim recovered and stated that



she went with this petitioner. The victim has not stated any wrongdoings by the petitioner. It is also submitted vide para 9 of the petition that the victim refused for medical examination just because she knew her age assess as major. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 27.2.2023.

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 P.S. Case No. 163 of 2023 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, East Champaran at Motihari.

(Sunil Kumar Panwar, J)

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