

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38699 of 2023**

Arising Out of PS. Case No.-226 Year-2022 Thana- KHAGARIA District- Khagaria

Sunil Singh @ Sunil Kumar Singh S/O Late Ramdhan Singh R/O Vill.
Bhadas, Ps. Muffasil, Dist. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 25-07-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

2. Let the defect(s), if any, be removed within a
period of four weeks from today.

3. The petitioner seeks bail in connection with
Khagaria (Muffasil) P.S. Case No. 226 of 2022 G.R.(P) No.
06/22 registered for the offence under Sections 366-A, 370-A,
372, 120-B/34 of the Indian Penal Code and Section 4(2) of
POCSO Act.

4. The accused/petitioner is named in the F.I.R. and
is in custody since 14.09.2022.

5. The allegation against the petitioner is to kidnap
the minor daughter of informant aged about 15 years alongwith
other co-accused persons/family members for the purpose of



illicit intercourse/marriage.

6. Learned counsel appearing on behalf of the petitioner submitted that the implication of this petitioner only appears being father of main co-accused, namely, Sonu against whom the thrust of allegation is available. It is further submitted that after recovery the statement of victim was recorded under Section 164 of the Cr.P.C., where she also not stated anything incriminating against this petitioner. While concluding the argument, it has been submitted that petitioner found involved in one more criminal case, where he is on bail and moreover, investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above, as implication of this petitioner appears being father of main co-accused Sonu Kumar against whom the thrust of allegation is available coupled with the fact that charge-sheet has already submitted, where victim not stated anything incriminating while recording her statement under Section 164 of Cr.P.C. against this petitioner, who is in custody since 14.09.2022, accordingly, above named petitioner is directed to



be released on bail in connection with Khagaria (Muffasil) P.S.
Case No. 226 of 2022 G.R. (P) No. 06/22 on furnishing bail
bond of Rs.10,000/- (Rupees Ten Thousand only) with two
sureties of the like amount each to the satisfaction of learned
Exclusive Special Judge, POCSO Khagaria/concerned court,
subject to the conditions as mentioned under Section 437 (3) of
the Cr.P.C.

(Chandra Shekhar Jha, J)

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