

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39970 of 2023

Arising Out of PS. Case No.-39 Year-2022 Thana- ARIYARI District- Sheikhpura

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SUBODH KUMAR Son of Rajesh Chaudhary Resident of Village -
Baikatpur, P.S.- Ariyari, District - Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr.Uday Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-07-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Ariyari P.S. Case No. 39 of
2022 dated 20.2.2022 registered for the offence punishable u/s
366(A) of the Indian Penal Code and Section 8 of the POCSO
Act.

As per the prosecution case, the petitioner is alleged



to have kidnapped the minor daughter of the informant by enticing her for the purpose of marriage.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. There was love affair between the parties. Learned counsel has further submitted that the victim in her statement recorded under Section 164 of the Cr.P.C. has stated that she went with the petitioner but she has not stated that she was forced to have illicit relationship with another. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.2.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the Medical Board has assessed the age of the victim as 16-17 years.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sheikhpura in connection with POCSO Case No. 10 of 2022 arising out of Ariyari P.S. Case No. 39 of 2022.



The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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