

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 39984 of 2023

Arising Out of PS. Case No.-88 Year-2022 Thana- PAKRIDAYAL District- East Champaran

PULIS KUMAR SAHANI S/OLATE BANU SAHANI @ LATE BATAHU
SAHANI R/O Village- Majhar Gudra Ghat, PS. Pakridayal, Dist. East
Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

For the Petitioner/s :	Mr Krishna Kant Singh, Advocate
For the Opposite Party/s :	Mr Parmanand Kumar, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioner and the
learned APP.

The petitioner has preferred this application for grant of regular bail in connection with Pakridayal PS Case No 88 of 2022 dated 20.03.2022 registered for the offence punishable under Sections 363, 365, 366, 366A/34 of the IPC and Section 8 of the POCSO Act.

As per the prosecution case, the petitioner kidnapped the informant's minor daughter aged about 15 years for sale.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner bears clean antecedent, as stated in paragraph 3 of the bail petition. It is further submitted that the victim in her statement recorded under Section 164 of the Cr PC has stated that she had gone to Nepal with the petitioner on her own volition and solemnized marriage with the petitioner there



in a temple. She has further stated that she was neither kidnapped nor raped by the petitioner. The petitioner is in custody in this case since 03.04.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge VII -cum- Special Judge, POCSO Act, East Champaran, Motihari in Pakridayal PS Case No 88 of 2022 dated 03.04.2023 subject to the following condition:

The petitioner shall remain physically present before the Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds are liable to be cancelled.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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