

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43323 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- MURLIGANJ District- Madhepura

CHANDAN SWARNKAR S/O SITA RAM SWARNKAR R/O VILLAGE-
RAMPUR, WARD NO. 9 PS. MURLIGANJ, DISTT. MADHEPURA,
BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 363, 366(A) of the
Indian Penal Code and Sections 8 of the POCSO Act.

3. The allegation against the petitioner is of abducting
a girl with an intention to solemnization of marriage. It is further
alleged that the petitioner and a girl were kept in custody by the
villagers and they handed over them to the police.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. The victim girl has recovered and her
statement recorded u/s 164 of the Cr.P.C., in which she does not



whisper about the complicity of this petitioner. There is no complaint with regard to physical assault, sexual abuse/misbehave against the petitioner to the victim girl. Petitioner is a married man, who is aged about 35 years and a common relationship of uncle and niece existed among them, both reside side by side and the victim girl known to the petitioner from childhood. He is languishing in judicial custody since 14.02.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Court below in connection with Murliganj P.S. Case No. 54 of 2023.

(Sunil Kumar Panwar, J)

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