

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40341 of 2022

Arising Out of PS. Case No.-225 Year-2021 Thana- SONBERSA District- Saharsa

MANISH SADA Son of Satish Sada @ Chhatish Sada @ Chatis Sada
Resident of Village - Pararia, P.S.- Sonbarsa Raj (Kashnagar O.P.), District -
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 18-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 363, 366A of the
Indian Penal Code and sections 08 and 12 of the POCSO Act.

As per allegation in the FIR, petitioner in connivance
with his other associates, kidnapped the minor daughter of the
informant, aged about 14 years, by a motorcycle with a view to
marry her.

It is submitted by learned counsel for the petitioner
that petitioner is innocent and he has been falsely implicated in
this case. There was love affair between the petitioner and
daughter of the informant. In statement of the victim girl



recorded u/s 164 Cr.P.C., she has clearly stated that out of her own sweet will, she has eloped with the petitioner and at Haryana they performed marriage in a temple. She has not whispered about wrong doing against the petitioner. It is further submitted that doctor opined her age below 18 years in medical report. Petitioner is languishing in judicial custody since 10.12.2021.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Special Judge POCSO at Saharsa in connection with POCSO No. 5 of 2022 corresponding to Sonbarsa Raj P.S. Cse No. 225 of 2021.

(Sunil Kumar Panwar, J)

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