

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41456 of 2023

Arising Out of PS. Case No.-712 Year-2022 Thana- KAUWAKOL District- Nawada

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Jitendra Kumar Son of Amirak Paswan Resident of village - Khaira, P.S. -
Kauwakol, Distt. - Nawada

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar Sinha
For the Opposite Party/s	:	Mr.Dinesh Singh
For the Informant	:	Mr. Birendra Kumar
		Mr. Kumud Kishore

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 366A, of the Indian Penal Code and Section 8 of the POCSO Act.

As per FIR, the allegation against the accused persons including this petitioner is that they kidnapped the informant's minor daughter aged about 17 years.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. As per statement of the victim girl recorded under Section 164 of the Cr.P.C., which is annexed with the case diary, wherein she has stated that out of her own sweet will, she had eloped with the petitioner and performed



marriage at temple in Patna and thereafter they want to Delhi where she spent her conjugal life with here husband peacefully. She has not raised any finger against the petitioner for any overt act. It is further submitted that victim girl is on the verge of majority. As per statement in para-3 of the petition, the petitioner has got not criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 17.05.2023.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kauwakol P.S. Case No. 712 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VI-cum Special Judge (POCSO Act), Nawada.

(Sunil Kumar Panwar, J)

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