

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43735 of 2023

Arising Out of PS. Case No.-100 Year-2023 Thana- DESARI District- Vaishali

SAHIL KUMAR @ CHHOTU S/O LATE PAPPU SAH A/P R/O Village-
Rasalpur Habib, P.S- Desari (Chandpura O.P.), Distt.- Vaishali. P/A- Tripoliya
Alamganj, P.S- Alamganj, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Manoj Kumar

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

ORAL ORDER

- 2 31-07-2023
1. 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.
 2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
 3. The petitioner has preferred this application for grant of regular bail in connection with Desari (Chandpura O.P.) P.S. Case No. 100 of 2023 dated 25.3.2023 registered for the offence punishable u/s 363, 366A of the Indian Penal Code and 8 and 12 of the POCSO Act.
 4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant.



5. 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. Nothing incriminating material has been recovered from the conscious possession of the petitioner. There is a delay of 12 days in lodging the FIR. Learned counsel has further submitted that there was love affair between the petitioner and the victim. She was not forced to have illicit relationship with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.3.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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, Vaishali at Hajipur in connection with Desari (Chandpura O.P.) P.S. Case No. 100 of 2023.



8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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