

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43173 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- SUGAULI District- East Champaran

AFAROJ MIYA @ AFROJ MIYAN SON OF LALU MIYAN RESIDENT OF
VILLAGE- DHOBIYA TOLA, KAITHWALIYA, PS- SUGAULI, DISTT-
EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 363, 366A, of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per FIR, the informant alleged that the petitioner abducted her daughter due to ulterior motives.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the basis of suspicion. From perusal of statement of the victim recorded under Sections 164 of the



Cr.P.C., it appears that she she was in love with one Anish and she fled away with him with her own sweet will, thereafter they solemnized marriage in a temple at Bettiah. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.05.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sugauli P.S. Case No. 153 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, POCSO, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

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