

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45717 of 2023

Arising Out of PS. Case No.-143 Year-2023 Thana- RAXAUL District- East Champaran

BHUALI MAHTO @ VIKASH KUMAR SON OF CHANDESHWAR
MAHTO RESIDENT OF VILLAGE- KANARA TOLA, DUMARIYA,
WARD NO 3, PS -RAXAUL, DISTRICT -EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.Iii

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor appearing on behalf of the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in paragraph 1 of the petition.

3. The petitioner seeks regular bail in connection with
Raxaul P.S. Case No. 143 of 2023, registered for the offence
punishable under Sections 363, 366A/34 of the Indian Penal
Code and Section 8 of the POCSO Act.

4. As per prosecution case, the minor daughter of the
informant had gone to purchase medicine and thereafter she did
not return. It has been alleged that she has been kidnapped. The
statement under Section 164 Cr.P.C. made by the victim
submitted that she had eloped with the petitioner.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner has no criminal antecedent and he is in custody since 24.03.2023.

6. Learned APP has vehemently opposed the prayer for bail.

7. Considering the aforesaid fact that girl had eloped with the petitioner, this application is allowed.

8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-VII-cum Special Judge, POCSO Act, East Champaran, Motihari, in connection with Raxaul P.S. Case No. 143 of 2023.

(Sandeep Kumar, J)

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