

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46273 of 2022

Arising Out of PS. Case No.-353 Year-2018 Thana- SARAIYA District- Muzaffarpur

Sonu Kumar @ Kunal Kumar Son Of Rajkishore Singh Resident Of Village-
Shivpur Ghoghraha P.S- Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Jagdhara Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 363, 366(A) of the Indian Penal Code and later on charge sheet submitted in Section 376/34 of Indian Penal Code and Section 4/8 of POCSO Act.

The prosecution case in nutshell is that minor girl of the informant eloped with the petitioner, on the persuasion of co-accused, namely, Sapna Kumari. It is also alleged that victim girl has taken away Rs. 6,000/- from the wallet of informant.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 03.05.2022. It is further submitted that victim girl has eloped with the petitioner with her own sweet will. During investigation it has come that the victim girl has denied to her medical examination. She has not made any direct allegation against the petitioner of sexual exploitation in her statement recorded under Section 161 & 164 of Cr.P.C. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration 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 in connection with Saraiya P.S. Case No. 353 of 2018 on furnishing bail bond of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge-cum-Special Judge POCSO Act (West) Muzaffarpur.

(Sunil Kumar Panwar, J)

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