

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45687 of 2023

Arising Out of PS. Case No.-962 Year-2022 Thana- BIHTA District- Patna

SHANKAR KUMAR S/O DEV KUMAR MAHTO @ DEV KUMAR
NISHAD R/O Vill- Bind Toli, Dekuli, P.S- Bihta, Distt.- Patna.

... .. Petitioner/s

Versus

1. State of Bihar.
2. Prabhu Kumar S/O Late Banshi Mahto R/O Village- Bind Toli, Dekuli, P.S- Bihta, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 363, 366(A) of the
Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. The allegation against the petitioner is of abducting
the daughter of the informant.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the victim girl has
recovered and her statement has been recorded u/s 161 of the
Cr.P.C., wherein, she stated that she fled away from her house



and went Delhi with this petitioner and out of her own sweet-will, she solemnized marriage with him in a temple. He further submitted that the victim girl does not whisper about the complicity of this petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 19.12.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Bihta P.S. Case No. 962 of 2022.

(Sunil Kumar Panwar, J)

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