

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49583 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- BENIPATTI District- Madhubani

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ROHIT SAFI @ ROHIT KUMAR SAFI SON OF BINOD SAFI RESIDENT
OF VILLAGE- BENIPATTI KABIR CHOWK, PS- BENIPATTI, DIST-
MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 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), 376, 494
of the Indian Penal Code, Sections 4 of the POCSO Act and
Section 9 of the Child Marriage Prohibition Act.

3. The allegation against the petitioner along with
others 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 statements have been recorded u/s 164 of the
Cr.P.C. as well as 161 of the Cr.P.C., wherein, she does not



whisper about the complicity of the petitioner. According to Medical report, the doctor opined that the victim is aged about 17 to 18 years. He further submitted that from the perusal of the impugned order, it appears that the victim girl specifically stated in her statement recorded u/s 164 of the Cr.P.C., that she is solemnized marriage with this petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 01.03.2023.

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 Benipatti P.S. Case No. 42 of 2023.

(Sunil Kumar Panwar, J)

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