

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48316 of 2023**

Arising Out of PS. Case No.-11 Year-2023 Thana- BHAGWANPUR District- Begusarai

Pawan Kumar @ Paban Kumar Son Of Siyaram Mahton @ Siyaram Mahto @ Sitaram
Mahton Resident Of Village - Kaji Rasalpur, Ward No.01, P.S. - Teghra, District - Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Bhagwanpur P.S. Case No. 11 of 2023 dated 14.01.2023 registered for the offences punishable u/s 366A read with Section 34 of the Indian Penal Code.

4. As per the prosecution case, the co-accused persons are alleged to have kidnapped the minor daughter of the informant by enticing her for the purpose of marriage.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the



petitioner was surfaced in this case during the course of investigation. It is further submitted that the victim in her statement recorded under Section 164 of Cr.P.C. has stated that she had gone with the petitioner to Chennai and solemnized marriage with him. Learned counsel has further submitted that the victim was not forced to have illicit relationship with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.05.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Bhagwanpur P.S. Case No. 11 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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