

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50527 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- MAINATAND District- West Champaran

SUMAN KUMAR @ SUMAN SAH SON OF ANIRUDH SAH R/O-
RAMNAGARI, P.S.-MAINATAND, DISTT.-WEST CHAMPARAN

... .. PETITIONER/S

VERSUS

THE STATE OF BIHAR

... .. OPPOSITE PARTY/S

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, Addl. Public Prosecutor
For the iNformant	:	Mr. Anant Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 01-11-2023 Heard learned counsel for the petitioner, informant
and the State.

2. Petitioner apprehends arrest in a case registered
for the offence punishable under sections 363 and 366(A) of
the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the prosecution case, informant alleges
that holder of Mobile No. 7070106125 and 9955867413
kidnapped his minor daughter aged about 15 years.

4. It is submitted that petitioner has falsely been
implicated in this case. FIR is not against any named accused



persons nor the mobile number as detailed in the FIR belongs to the petitioner. Though the victim in her statement recorded under section 164 Cr. P . C . has named this petitioner as one of the kidnapper but there is no allegation of any sexual assault against him. Thrust of accusation is against the co-accused persons namely Pradhuman Kumar and Vikash Kumar. Similarly situated co-accused persons have already granted bail by this Court vide order dated 31.07.2023 in Cr. Misc. No. 41329 of 2023 . Petitioner claims clean antecedent.

5. Learned counsel for the State and informant opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged 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 Additional District and Sessions Judge 7th cum Special Judge POCSO , Bettiah , West Champaran in connection with Mainatand Police Station Case No. 108 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal



Procedure.

(Prabhat Kumar Singh, J)

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