

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50418 of 2023

Arising Out of PS. Case No.-337 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Mahendra Kumar Son Of Radha Sah Resident Of Village Jaisinghpur
Chiutahi, Ps- Turkauliya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abbhishek Kumar, Advocate

Ms. Rashmi Jha, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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

ORAL ORDER

2 16-08-2023 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 Turkauliya P.S. Case
No. 337 of 2023 dated 16.03.2023 registered for the offences
punishable under Sections 363 and 366A of the Indian Penal
Code and Sections 6 and 8 of the POCSO Act.

4. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have kidnapped the minor
daughter of the informant with a view to kill her.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The victim in her statement recorded u/s164 of the Cr.P.C has stated that she and the petitioner solemnized marriage with each other and went to Chandigarh and she has started living with the petitioner. It is further submitted that the victim was not forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.03.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 337 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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