

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49990 of 2022

Arising Out of PS. Case No.-180 Year-2021 Thana- CHOUTARWA District- West
Champaran

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Jata Mishra Son Of Late Mangal Mishra Resident Of Village - Khardeur
Mishra Tola, P.S.- Chanpatiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin
For the Opposite Party/s : Mr. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with Chautarwa (Bathwariya)
P.S. Case No. 180 of 2021 registered under Sections 363,
366(A) and 34 of the Indian Penal Code and Section 8 of the
POCSO Act.

Allegation against the petitioner is that he along with
co-accused persons kidnapped the daughter of the informant.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He has
falsely been implicated in this present case. A statement has
been made in Para 3 of this petition that petitioner has got no



criminal antecedent. It is further submitted that the victim did not whisper the complicity of the petitioner in her statement recorded under Section 164 of Cr.P.C. Similarly situated co-accused, namely, Sonu Mishra has already been granted bail by this co-ordinate Bench of this Court vide order dated. 09.12.2022. in Cr. Misc. No. 50685 of 2022. Petitioner is languishing in judicial custody since 28.06.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Chautarwa (Bathwariya) P.S. Case No. 180 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge- VIIth-cum Special Judge (POCSO), West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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