

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50634 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- MAJORGANJ District- Sitamarhi

Md. Nisar @ Mohammad Nishar Son Of Nek Mohammad @ Nek Mohmad
Resident Of Village - Bhagwanpur, P.S. - Riga, District - Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 51178 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- MAJORGANJ District- Sitamarhi

Rajesh Paswan Son Of Sita Ram Paswan Resident Of Village - Ranjitpur, P.S.
- Punaura, District - Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 50634 of 2023)

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Renu Kumari

(In CRIMINAL MISCELLANEOUS No. 51178 of 2023)

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with
Majorganj P.S. Case No. 130 of 2023 registered for the offence
under Sections 363, 366(A), 372/34 of the I.P.C. and Section 8
of the POCSO Act.

3. As per prosecution case, it is alleged that the co-



accused Saroj Kumar was apprehended on spot while he was taking away the victim by his motorcycle. The girl disclosed that on the pretext of solemnization of marriage, co-accused was taking away her to Nepal.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is also submitted vide para 14 of the petition that the victim has not been recovered from possession of the petitioners rather she was recovered from co-caused Saroj. The victim also has not stated any complicity of the petitioners in her statement. She has made specific overt-act against co-accused Saroj Kumar. The petitioners have no manner concern with the victim or with co-accused. It is further submitted that the petitioners are languishing in judicial custody since 13.5.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail in connection with Majorganj P.S. Case No. 130 of 2023



on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-Cum-Special Judge (POCSO Act), Sitamarhi, concerned Court.

(Sunil Kumar Panwar, J)

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