

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51296 of 2022

Arising Out of PS. Case No.-61 Year-2022 Thana- PANJWARA District- Banka

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Raj Kumar Dagri Son Of Binod Dagri @ Vinod Dagri Resident Of Village-
Dahre, P.S.- Poraiyahat, District- Godda (JHARKHAND)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 17-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Panjwara P.S. Case No. 61 of 2022 registered for the offences punishable under Section 366(A) of the Indian Penal Code and Section 8 of POCSO Act.

As per the prosecution, it is alleged that the informant's daughter was kidnapped from her house by this petitioner when no one was present in the house.

The main submissions advanced by learned counsel

Mr. Praveen Kumar appearing for the petitioner are that the FIR of the alleged incident was lodged after four days and the petitioner is 19 years old and has been languishing in jail since 02.06.2022 and the victim did not make any allegation of sexual assault by this petitioner with her when she was in the captivity of this petitioner, in fact the petitioner and the victim developed intimacy when the petitioner came to the village of the informant to attend the marriage function of one namely, Md. Ismail and thereafter the victim made to believe the petitioner that she will be married to an elderly person of Gujarat State hence, due to the said fact the so-called victim forced the petitioner to take her away and accordingly, she left her parent's house according to her own will, in which no force was committed by the petitioner. Further submission is that the investigation has been completed.

Learned APP appearing for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the petitioner's young age mentioned in his petition and his custody period and clean antecedent, this Court is inclined to accept his prayer for bail. Accordingly, let the petitioner 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 Court concerned in
connection with Panjwara P.S. Case No. 61 of 2022.

(Shailendra Singh, J)

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