

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54454 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- KAHALGAON District- Bhagalpur

Amit Kumar Roy S/O Subhash Roy @ Subhash Kumar Roy R/O Village-
Suarchhap, Ps. West Loraiya, Dist. West Champaran (BETTIAH)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 363, 365 of the Indian Penal Code and Section 4 of the POCSO Act.

It is a case of abduction of the informant's minor granddaughter aged about 16 years by some unknown persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the F.I.R. He has falsely been implicated in this case merely on the basis of suspicion. From perusal of the impugned order, it appears that the victim has been recovered and her statement was got recorded under Section 164 of Cr.P.C. wherein she has not whispered about the complicity of the



petitioner. She has specifically stated that she was in love with the petitioner for 4-5 year so on the date of occurrence she went with the petitioner to Bettiah and solemnized marriage in a Shiva Temple. As per statement in para-3 of the petition, the petitioner has got not criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 17.05.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kahalgaon P.S. Case No. 147 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO-cum-7th Additional District and Sessions Judge, Bhagalpur.

(Sunil Kumar Panwar, J)

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