

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54320 of 2022

Arising Out of PS. Case No.-250 Year-2021 Thana- GAUNAHA District- West Champaran

BHULAN SAH Son of Motilal Sah Resident of Village - Patkhauli, P.s.-
Chautarwa, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-03-2023 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 of the IPC and charge-sheet has been submitted under Section 366A of the IPC and section 8 of the POCSO Act.

As per prosecution case, the informant alleged that his daughter, aged about 15 years, went to appear at the examination but did not return home. After search, he was unable to find her daughter, thereafter, this case has been lodged against unknown.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The informant's



daughter/victim was recovered and she stated in her statement recorded under section 164 of Cr.P.C. that she went with the petitioner to Himachal Pradesh and solemnized marriage with him out of her own sweet will. She did not whisper any wrongdoings with her by the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 5.12.2021.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gaunaha P.S. Case No. 250 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO-cum-Additional District and Sessions Judge-VII, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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