

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55655 of 2022

Arising Out of PS. Case No.-67 Year-2021 Thana- KOTWA District- East Champaran

Munna Kumar S/O Rambabu Rai Resident Of Village- Kajhiya, P.S.- Kotwa,
District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abbhishek Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-02-2023 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 Kotwa(Bhopatpur) P.S. Case No. 67 of 2021 registered under Sections 363, 366A, 506 and 34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

Prosecution case in short is that when the daughter of the informant went to attend nature call in the evening but she did not return and thereafter the informant came to know that his daughter was kidnapped by accused persons including the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case due to oblique motive. The petitioner has no concern with the co-accused and victim. A



statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. It is further submitted that when victim recovered, the statement was recorded under Section 164 of Cr.P.C., in which she did not whisper any complicity of the petitioner in this case and she further stated that she solemnized marriage with co-accused, Gulshan Kumar with her own sweet will. The petitioner is languishing in judicial custody since 25.07.2022.

The application for bail is vehemently 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 Kotwa(Bhopatpur) P.S. Case No. 67 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 6th Additional Sessions Judge cum Special Judge POCSO, Motihari, East Champaran, Bihar.

(Sunil Kumar Panwar, J)

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