

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59602 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- EKMA District- Saran

Shailesh Patel S/O Pradeep Patel Resident Of Village- Parsagarh Bazar, P.S-
Ekma, District- Saran At Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawnit Kumar Tiwary

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366A/34 of the Indian Penal Code and further added section 376 of I.P.C. along with 3/6 of the POCSO Act.

3. As per prosecution case, the petitioner along with others is alleged to have abducted the daughter of the informant, who is aged about 17 years at the pretext of solemnization of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to dirty village politics. The victim girl was recovered whose statement u/s 164 has been recorded wherein, she did not support the prosecution case and



stated the she went with the petitioner out of her own sweet will and solemnized marriage with the petitioner and in support of this, Annexure-4 has been annexed with the petition. She stated her age about 18 years. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 11.5.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. 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 Ekma P.S. Case No. 59 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 Additional District Judge-VI-cum-Special Judge, Saran at Chhapra.

(Sunil Kumar Panwar, J)

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