

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56336 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- KESARIA District- East Champaran

Mukesh Kumar @ Mukesh Kumar Paswan S/O Gulab Chandra Paswan @
Gulab Chand Paswan R/O Village- Kesariya Tola Ward No. 5, Ps. Kesariya,
Dist. East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner registered for the offence punishable under
Sections 363, 366/34 of the Indian Penal Code and Sections 8
and 12 of the POCSO Act.

Prosecution case relates to abduction of minor
daughter of the informant by the petitioner and other accused
persons.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Petitioner is victim of false implication. Statement of
the victim girl was recorded u/s 164 Cr.P.C. in which she has



stated that she was in love with the petitioner and out of her own sweet will, she had eloped with him. She has not raised her finger against the petitioner for any overt act. After prevailing good sense, the matter has been compromised between the parties and annexed the compromise petition as Annexure-2 to the petition. Petitioner is languishing in judicial custody since 9.5.2023.

Learned APP appearing for the State has opposed the prayer of 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge-cum-Special Judge, POCSO Act, Motihari, East Champaran in connection with Kesariya P.S. Case No. 178 of 2023.

(Sunil Kumar Panwar, J)

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