

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55608 of 2022

Arising Out of PS. Case No.-32 Year-2022 Thana- SIMRA District- West Champaran

Manish Kumar Son of Late Ajay Das @ Ajay R/O village - Sherpur Colony,
P.S.- Gaunaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Semra P.S. Case No. 32 of 2022, lodged under Sections 363,
366(A), 34 of the Indian Penal Code and charge sheet has been
filed under Section 8 of POCSO Act.

As per prosecution case, the allegation has been made
by the informant that the petitioner alongwith his friend Kishan
Kumar had kidnapped the informant's daughter and on the next
day i.e. on 09.03.2022 at about 7 p.m. the girl was recovered
from the house of Kishan Kumar, with this allegation the F.I.R.
has been lodged.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He further submits that from the place of recovery, it transpires that the said recovery was made from the house of Kishan Kumar. He also submits that in the statement recorded under Section 164 of Cr.P.C. the daughter of informant has not stated anything against the petitioner about commission of any force on her, which has been acknowledged by the order passed by the Session Court. Learned counsel for the petitioner further submits that antecedent of petitioner is clean and he is in custody since 10.03.2022 and the co-accused Kishan Kumar from whose house the girl was recovered has been granted bail by the Co-ordinate Bench of this Court vide order dated 10.02.2023 passed in Cr. Misc. No.60335 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, West Champaran at Bettiah in connection with Semra P.S. Case No. 32 of 2022,



subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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