

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58098 of 2023

Arising Out of PS. Case No.-421 Year-2022 Thana- BAHERI District- Darbhanga

Manoj Kumar S/O Laxman Jha R/O Village- Sirua, P.S- Baheri, Distt.- Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abu Bakar, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-09-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Baheri P.S. Case No. 421 of 2022 dated 13.12.2022 registered for the offences punishable under Sections 366A and 120B read with 34 of the Indian Penal Code and Sections 8/18 of the POCSO Act.

4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant by enticing her.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. Nothing has been recovered from the conscious possession of the petitioner. As per the Medical Board, the age of the victim was assessed in between 15-16 years. The victim in her statement recorded under Sections 161 & 164 of the Cr.P.C has stated that there is torture by the informant to put pressure on the petitioner. Learned counsel has further submitted that there is no material on record which shows that the victim was forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Baheri P.S. Case No. 421 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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