

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58477 of 2022

Arising Out of PS. Case No.-11 Year-2021 Thana- MAHILA P.S BAGHA District- West
Champaran

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GOLU KUSHWAHA Son of Suresh Kushwaha Resident of Village-
Ratanmala, Ward No. 33, P.S.- Bagaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Asha Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 366A/34 of the
Indian Penal Code u/s 8 of POCSO Act.

Allegedly, petitioner with the help of other co-accused
tempted the informant's daughter to run away with him with
intention to marry.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence as
alleged. No such occurrence as alleged ever took place. He has
been falsely implicated in this case due to ulterior motive. The
victim girl being major and matured, had herself left her house



with co-accused. There is general and omnibus allegation against the petitioner. It is further submitted that after investigation, the police has filed final form against co-accused and didn't sent up the petitioner for trial. But the learned court took cognizance against the petitioner in quite mechanical manner differing with the police report. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned counsel for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Bagaha (Mahila) P.S. Case No. 11 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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