

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62301 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- MAHILA P.S District- West Champaran

SANTOSH KUSHWAHA @ SANTOSH KUMAR KUSHWAHA S/o-
SHAMBHU KUSHWAHA village- Jitpur Matiyariya Ps- Bagaha Dist-
W.Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-12-2023 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 363, 366(A), 323, 504,
506/34 of the Indian Penal Code, Sections 4 and 8 of the
POCSO Act and Sections 3(i)(r)(s)(w), 3(ii)(v)(a) of the SC/ST
Act.

3. The allegation against the petitioner along with
others is of abducting the daughter of the informant, when she
went for washing her hand behind the house.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. The victim girl has recovered and her



statement recorded u/s 164 of the Cr.P.C., in which she does not whisper about the complicity of this petitioner. The victim girl specifically stated in her statement that she out of her own sweet-will solemnized marriage with this petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 03.05.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Additional District and Sessions Judge 7th-cum-Special Judge (POCSO), West Champaran at Bettiah in connection with Mahila P.S. Case No. 13 of 2023.

(Sunil Kumar Panwar, J)

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