

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63895 of 2023**

Arising Out of PS. Case No.-552 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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Shubham Kumar Son Of Rakesh Rai Resident Of Village- Babutola
Gurwaliya, Ps- Manuapul, Dist- West Champaran At Betiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar
For the Opposite Party/s : Mr.Asha Kumari

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 11-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 363 and 366
of the Indian Penal Code and Section 4 of the POCSO Act.

3. Allegation against the petitioner is that he abducted
the daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. As per the statement of the
victim after her recovery recorded under Section 164 of the
Cr.P.C. in which she stated that she was in love affairs with this
petitioner and out of her own sweet will, she fled from her



house and also she wanted to marry with this petitioner and this fact has come in the Impugned order itself. There is no complicity of the petitioner in this alleged offence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 20.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bettiah Town P.S. Case No. 552 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO cum A.D.J.-VI, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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