

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59890 of 2022

Arising Out of PS. Case No.-380 Year-2021 Thana- BIRPUR District- Supaul

Vicky Swarnkar @ Vicky Kumar Swarnkar S/O Shibu Swarnkar @ Shiv Narayan Swarnkar Resident Of Village- Hridayanagar, P.S.- Birpur And District- Supaul.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

6 14-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 366(A)/34 of the Indian Penal Code.

The allegation against the petitioner and co-accused persons have abducted the niece of the informant for the purpose of solemnization of marriage.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has



falsely been implicated in the present case. There is no any independent witness to support the prosecution version of the case. The victim in her statement, recorded under Section 164 of Cr.P.C, has not whispered about the complicity of the petitioner in her elopement. She has stated that she herself called the petitioner and by Auto they went to Jogbani and thereafter went to Nepal. She has solemnized marriage with the petitioner with her own sweet will. Moreover, the petitioner is languishing in judicial custody since 13.07.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection



with POCSO Case No. 42 of 2022 arising out of Birpur
P.S. Case No. 380 of 2021 on furnishing bail bond of
Rs. 10,000/- (Rupees ten thousand) with two sureties of
the like amount each to the satisfaction of the learned
A.D.J. VI-cum-Special Judge Exclusive, POCSO Court,
Supaul.

(Sunil Kumar Panwar, J)

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