

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64945 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- KANGLI District- West Champaran

Mukesh Ram S/O- Kishore Ram Village- Kathiya Mathiya Ps- Kangali Dist-
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur

For the Opposite Party/s : Mr.Narsingh Tanti

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kangli P.S. Case No. 74 of 2022 dated 08.09.2022 registered for the offences punishable under Sections 366A, 504 and 506 read with 34 of the Indian Penal Code and Section 8 and 12 of the POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused person are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is love affair between both the victim and the



petitioner. The victim in her statement recorded u/s 164 of the Cr.P.C has stated that she fled away with the petitioner of her own will and she wanted to marry the petitioner. Learned counsel has further submitted that the victim was not 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 19.04.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl.

6. 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, West Champaran, Bettiah in connection with Kangli P.S. Case No. 74 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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