

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1610 of 2022

Arising Out of PS. Case No.-129 Year-2021 Thana- ARWAL District- Jehanabad

PURUSHOTAM KUMAR Son of Surendra Prasad Singh Resident of Village-
Santawan Bigha, P.S.- Arwal, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Shambhu Sharan Singh, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-01-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 366A of the Indian Penal Code to which section 376 of the Indian Penal Code and section 4 of the POCSO Act were added later.

As per the prosecution case, the 16 year old daughter of the informant was taken away for the purpose of marriage by the petitioner.

It is submitted by learned Senior counsel for the petitioner that the petitioner has been falsely implicated in the case. No occurrence in the manner as alleged in the FIR took place. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C. wherein she has not



supported the prosecution case. The petitioner is in custody since 21.8.2021, chargesheet has been submitted in the case and he has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation specially the contents of the statement of the daughter of the informant under section 164 Cr.P.C. wherein she does not support the prosecution case together with the petitioner having remained in custody for more than 1 year 4 months since 21.8.2021 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Special POCSO Case no.83 of 2021 (arising out of Arwal P.S. Case no.129 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 Chief Judicial Magistrate, Arwal.

(Partha Sarthy, J)

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