

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63806 of 2022

Arising Out of PS. Case No.-423 Year-2021 Thana- KHARHAGPUR District- Munger

SUDHAKAR MISHRA Son of Vimal Mishra @ Vimal Kumar Mishra
Resident of Village- Sisua, P.S.- Harpur, District- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. RANI DEVI Wife of Late Mithilesh Jha Resident of Village- Parsando, P.S.-
Kharagpur, District- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 16-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Kharagpur P.S. Case No.423 of 2021 registered under
Section 366A of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. The petitioner and the victim are husband and wife. The
victim in a complaint case, filed against her mother (informant)
has deposed her date of birth as January, 2001 (Annexure 2). He
further submits that the informant (mother of the victim) filed an
affidavit stating that she had filed the present case against the



petitioner due to lack of true information as is evident from Annexure 3. The petitioner has got no criminal antecedent.

Having considered the above facts and circumstances of the case and the submissions advanced on behalf of the parties, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of Exclusive Special Judge (POCSO Act)-cum-Additional Sessions Judge VI, Munger in connection with Kharagpur P.S. Case No.423 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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