

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63602 of 2022**

Arising Out of PS. Case No.-284 Year-2022 Thana- SUGAULI District- East Champaran

Samlesh Kumar S/O Kishori Sahani Resident Of Village- Mehwa, P.S.-  
Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sangeet Deokuliar

For the Opposite Party/s : Mr.Manoj Kumar

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

2      21-02-2023                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the informant.

The petitioner has filed the instant application for grant of regular bail in connection with Sugauli P.S. Case No. 284 of 2022 registered under sections 363, 366(A) and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

Prosecution case in short is that the niece of the informant was sleeping with his children, when his children told him that she was not on bed then he woke up and found that the main gate of the house was opened then he started searching her but did not find her. It is further alleged that petitioner along with other co-accused persons abducted her.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to prior grudge. It is



apparent from the impugned order that as per the statement of the victim recorded under Section 164 of the Cr.P.C., the victim fled from her parental house and thereafter, fled with Samlesh Kumar (petitioner) and entered into marriage with him out of her own sweet will. She didn't whisper any complicity of the petitioner. He is languishing in judicial custody since 05.08.2022.

The application for bail is vehemently opposed by learned APP for the State and learned counsel for the informant submitted that the victim is minor.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sugauli P.S. Case No. 284 of 2022 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 6<sup>th</sup> Additional Sessions Judge cum Special Judge POCSO, East Champaran, Motihari.

**(Sunil Kumar Panwar, J)**

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