

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63584 of 2022

Arising Out of PS. Case No.-240 Year-2022 Thana- BAISI District- Purnia

Md. Munna @ Musarrat Raza @ Musarraaf Raza S/O Ziyauddin R/O- Bairiya,
P.S.- Baisi, District- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Sinha

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-02-2023 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 connection with Baisi P.S. Case No. 240 of 2022 registered under sections 363, 366, 379 and 34 of the Indian Penal Code. In this case, cognizance has been taken under Sections 363, 366, 376 and 34 of the IPC, Section 6 of POCSO Act and Section 9 of the Prohibition of Child Marriage Act, 2006.

Allegation against the petitioner and other co-accused person is that they came on motorcycle and forcefully taken away the daughter of the informant, while the informant's daughter was standing on the road.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The statement of victim was recovered under section 164 of Cr.P.C., in which she did not whisper any complicity of the petitioner in this case and further stated that she left the house and eloped with this petitioner out of her own sweet will and also solemnized marriage with this petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 29.06.2022.

The application for bail is vehemently opposed by learned APP for the State.

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 Baisi P.S. Case No. 240 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 Additional Sessions Judge (POCSO), Purnea.

(Sunil Kumar Panwar, J)

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