

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66918 of 2023**

Arising Out of PS. Case No.-172 Year-2023 Thana- PUNAURA District- Sitamarhi

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BADAL KUMAR S/O RAJ NARAYAN MAHTO VILLAGE- PUNAURA  
TOLA KODWARA, PS. PUNAURA, DIST. SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

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

3      07-11-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The instant application for regular bail has been filed  
by the petitioner instituted for the offence punishable under  
Sections 366(A)/34 of the Indian Penal Code and Section 8 and  
10 of the POCSO Act.

As per allegation in the FIR, several accused persons  
including the petitioner have abducted the minor daughter of the  
informant by Scorpio with ill motive.

Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. After recovery of the victim girl, her statement was  
recorded u/s 161 Cr.P.C. by the police, in which she has not  
taken the name of the petitioner for any overt act rather she has



disclosed. Thereafter, her statement was recorded u/s 164 Cr.P.C. in which she has given totally different version and there is contradiction in her both the statements. Petitioner is languishing in judicial custody since 26.7.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ADJ-VI-cum-Special Judge (POCSO) Sitamarhi in connection with Punaura P.S. Case No. 172 of 2023.

**(Sunil Kumar Panwar, J)**

sushma/-

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