

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69342 of 2023

Arising Out of PS. Case No.-242 Year-2022 Thana- DAWATH District- Rohtas

Abhisekh Kumar @ Abhishek Kumar Son Of Om Prakash Ram @ Om Prakash Prasad Resident Of Village - Chandi English, P.S. - Manauli, District - Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ajay Kumar Rai Resident Of Village, P.O. And P.S. - Nirmali, District - Supaul, Present Address - Village, P.O. And P.S. - Dawath Muhala, Kumahar Toli, Gali No.01, District - Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kiran Kumari Sharma
For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-12-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366A and 34 of the Indian Penal Code and section 4/6 of the POCSO Act.

3. Allegation against the petitioner is that he abducted the minor daughter of the informant for the purpose of marriage.

4. 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 victim was recovered and her statement was recorded under Section 164 of the Cr.P.C., in which she does not whisper any complicity of the



petitioner in respect of commission of abduction rather she stated that she out of her own sweet will, went with this petitioner and solemnized marriage with him with hindu rites and customs. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 09.11.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dawath P.S. Case No. 242 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-VII-Cum-Exclusive Spl. Court POCSO Act, Sasaram at Rohtas.

(Sunil Kumar Panwar, J)

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