

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64666 of 2022**

Arising Out of PS. Case No.-418 Year-2022 Thana- KRITYANAND NAGAR District-
Purnia

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Sharwan Kumar @ Ritique Kumar Son Of Sri Shivanand Mistry R/O Vill.-
Parora, Ward No. 7, P.S.- K. Nagar, Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate
For the Opposite Party/s : Mr.Kanhaiya Kishore, App, 100

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-03-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 363, 365 and
366A read with 34 of the Indian Penal Code and section 8 of the
POCSO Act and 9 / 10 of the Child Marriage Prohibition Act.

As per the prosecution case, the petitioner and co-
accused persons are alleged to have kidnapped the minor
daughter of the informant.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Charge-sheet has already been submitted against the petitioner. Learned counsel further submitted that as per the medical report the doctor has assessed the age of the victim as about 18-20 years so section 366A and section 8 of the POCSO Act are not made out against the petitioner. Learned counsel further submitted that the victim in her statement recorded u/s 164 of the Cr.P.C has not stated that name of the petitioner in the crime alleged. There is love affair between the parties. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.08.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with Special POCSO P.S. Case No. 97 of 2022 arising out of K. Nagar P.S Case No. 418 of 2022.



The application stands allowed.

(Chandra Prakash Singh, J)

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