

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66946 of 2023

Arising Out of PS. Case No.-415 Year-2023 Thana- SIKARPUR District- West Champaran

Bholi Kumar @ Vivek Kumar Son Of Late Mohan Prasad Jaiswal @ Mohan
Sah @ Madan Prasad Jaiswal @ Madan Sah Resident Of Ward No 2 Purani
Bazar Narkatiyaganj Ps Shikarpur West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Chandra

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 363 and 366(A) read with Section 34 of the Indian Penal Code and Section 8 and 12 of POCSO Act.

3. As per FIR, the allegation against the accused persons including this petitioner is that they kidnapped sister 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 girl was recovered and her statement was recorded under Section 164 of



the Cr.P.C., wherein victim stated that she was in love with this petitioner and she went to Mumbai along with him out of her own sweet will where she stayed for few days and then came back to Bettiah where they solemnized marriage in a temple. She has not raised any finger against the petitioner for any overt act. It is further submitted that the victim girl is on the verge of majority. The petitioner is languishing in judicial custody since 10.06.2023.

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 Shikarpur P.S. Case No. 415 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge-VII, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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