

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71812 of 2023

Arising Out of PS. Case No.-150 Year-2022 Thana- KHARIK District- Bhagalpur

Sittu Kumar Mandal @ Chinku @ Sintu Kumar Son Of Vilash Mandal
Resident Of Village- Dhudhela, Ps- Bihpur, Distt- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 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 366(A), 376 and 34 of the Indian Penal Code, Section 4 of the POCSO Act and Sections 3(2) (Va) of the SC/ST Act.

3. Allegation against the petitioner is that he abducted the daughter of the informant when she went to her school.

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. As per impugned order, during investigation, the statement of the victim recorded in which she stated that she out of her own sweet will went this petitioner and performed marriage with him. It is further



submitted that as per Annexure-3 of this petition, the victim is major as per her Aadhaar Card. 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 21.04.2023.

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 Kharik P.S. Case No. 150 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 Exclusive Special Judge(POCSO)-cum-7th Additional District and Sessions Judge, Bhagalpur.

(Sunil Kumar Panwar, J)

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