

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69425 of 2022

Arising Out of PS. Case No.-135 Year-2022 Thana- KOTWA District- East Champaran

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AWNISH KUMAR SON OF NAGENDRA PRASAD R/O VILLAGE-
BAHUARA SUJAN RAJPUR, P.S.- KALYANPUR, DISTRICT- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari

For the Opposite Party/s : Mr.Mohammad Sufyan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-05-2023 Pursuant to order dated 01.05.2023, Investigating
Officer of the case is personally present in court.

His personal appearance is dispensed with.

Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 363, 366A and some
other ancillary Sections of the Indian Penal Code.

As per the prosecution case, this petitioner along with
one unknown accused person kidnapped the minor daughter of
the informant.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is further submitted that victim in her statement u/s 164



of the Cr.P. C. has not supported the prosecution case rather she stated that she was in love affairs with this petitioner and she out of her own sweet will went along with this petitioner. She stated her age to be 19 years. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, statement of the victim recorded u/s 164 of the Cr. P. C. coupled with clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Kotwa PS case No.135/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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