

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75716 of 2023

Arising Out of PS. Case No.-528 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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KUNDAN KUMAR SON OF LATE SHIV PATEL R/O VILLAGE-
BASWARIYA PIPAL CHAUK, BETTIAH, P.S.- BETTIAH TOWN,
DISTRICT- WEST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aditya Nath Jha

For the Opposite Party/s : Mr.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 366(A) of the Indian
Penal Code and Section 4 of the POCSO Act.

3. The allegation against the petitioner along with
others is of abducting the daughter of the informant for the
purpose of marriage.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. From the perusal of the impugned order,
it appears that the victim girl has recovered and her statement
recorded u/s 164 of the Cr.P.C., in which she does not whisper



about the complicity of this petitioner. The victim girl further stated that due to love affair she voluntarily fled away from her house and out of her own sweet-will went with the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 28.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge-POCSO-cum-A.D.J.-VI, West Champaran at Bettiah in connection with Bettiah City P.S. Case No. 528 of 2023.

(Sunil Kumar Panwar, J)

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