

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71043 of 2023
Arising Out of PS. Case No.-151 Year-2023 Thana- SHAHKUND District- Bhagalpur

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Sunny @ Sarfaraz, Son Of Late Ali Ahmad @ Md. Libbo, R/O Village-Sheikhpura, P.S.- Sajour, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-11-2023 None appears on behalf of the petitioner. However, learned A.P.P. for the State is present.

2. It appears from perusal of the record that the present application has been filed by the petitioner seeking regular bail in connection with Sajour (Shahkund) P.S. Case No.151/2023, lodged on 08.04.2023 under Section 365/34 of the Indian Penal Code and subsequently, Section 366A of the Indian Penal Code and Section 8 of the Protection Of Children From Sexual Offences Act, 2012 were also added.

3. As per the prosecution case, the preset FIR has been lodged against five named accused persons including the petitioner with an allegation of kidnapping the minor daughter of the informant.



4. It further appears from the record that the alleged victim has been recovered and the order of the trial Court rejecting the bail application of the petitioner, reflects that her statement was recorded under Section 164 of the Cr. P.C. wherein she has stated that when her mother scolded her, she herself without any pressure went with the petitioner and started living with him. Subsequently, she got information about lodging of the present case then both the victim and the petitioner returned and went before the police. Thereafter, the statement of the victim was recorded. The victim has further stated in her statement that she along with her mother went to the Court. It also transpires from the record that the antecedent of the petitioner is clean and he is in custody since 10.04.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty 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, in connection with Sajour (Shahkund) P.S. Case



No.151/2023, subject to the conditions as laid down U/s 437(3)
Cr.P.C.

(Dr. Anshuman, J)

Ashwini/-

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