

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71862 of 2022

Arising Out of PS. Case No.-126 Year-2021 Thana- BELSAND District- Sitamarhi

1. PREM PASWAN S/O Gonu Paswan R/O Village- Damami, Ward No- 2, P.S- Belsand, District- Sitamarhi, PINCODE- 843311
2. Ajay Paswan S/O Gonu Paswan R/O Village- Damami, Ward No- 2, P.S- Belsand, District- Sitamarhi, PINCODE- 843311
3. Abhishek Kumar S/O Chuman Paswan R/O Village- Damami, Ward No- 2, P.S- Belsand, District- Sitamarhi, PINCODE- 843311

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek regular bail in connection with Belsand P.S. Case No. 126 of 2021 registered for the offence under Sections 341, 323, 366(A)/34 of the Indian Penal Code and Section 8 of the POCSO Act.

As per prosecution case, the informant alleged that on 25.11.2021 at 4 PM, the informant along with his daughter was going to Partapur for taking Kirana articles, suddenly, the accused persons including the petitioners came on two motorcycles and forcibly taken away his daughter.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They



have falsely been implicated in this case. From perusal of FIR, the alleged occurrence took place on 25.11.2021 whereas the FIR has been lodged delay of five days on 1.12.2021. Though the victim in her statement recorded under section 164 of Cr.P.C. has not supported the prosecution version and this fact is mentioned in impugned order itself. The petitioners have got no criminal antecedent and languishing in judicial custody since 12.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Belsand P.S. Case No. 126 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI-Special Judge (POCSO), Sitamarhi.

(Sunil Kumar Panwar, J)

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