

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73250 of 2022

Arising Out of PS. Case No.-153 Year-2022 Thana- DALSINGHSARAI District- Samastipur

RAJA KUMAR MISHRA S/o Late Amarjeet Mishra R/v- Kishanpur, P.S.-
Ghataho OP Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366A/34 of the Indian Penal Code and Section 8 of the POCSO Act.

Prosecution story, in brief, is that the FIR has been initiated on written application of Ram Chandra Rai wherein stated that on 2.5.2022 around 7:00 PM, the daughter of informant, aged about 17 years 6 months, has been kidnapped by the accused persons.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. From perusal impugned order, the statement of victim recorded



under section 164 of Cr.P.C., did not support the prosecution story, wherein, she stated that she went with the petitioner out of with her own sweet will and solemnized marriage with him. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 2.10.2022.

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 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 Dalsingh Sarai P.S. Case No. 153 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 Additional Sessions Judge-VI-cum-Special Court (POCSO), Samastipur.

(Sunil Kumar Panwar, J)

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