

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81644 of 2023

Arising Out of PS. Case No.-194 Year-2022 Thana- MASAUDHI District- Patna

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DHANESH KUMAR @ CHHOTU KUMAR SON OF SHRI SHANKAR
GUPTA @ SHANKAR SAO R/O VILLAGE- HARBANSHPUR, P.S.-
MASAURHI, DIST.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366A of the Indian Penal Code but the charge-sheet has been submitted u/s 363, 366A of the IPC and section 12 & 16 of the POCSO Act.

3. According to the prosecution case, the petitioner is said to have abducted the minor daughter of the informant on the pretext of solemnization of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted vide Annexure-2, the victim girl was recovered and her statement has



been recorded under section 164 of Cr.P.C., wherein, she has not whispered the complicity of the petitioner regarding physical assault or misbehave. She only stated about her abduction by the petitioner. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 27.4.2022.

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

6. 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 him on bail. The above named petitioner is directed to be released on bail in connection with Masaurhi P.S. Case No. 194 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 ADJ-VII-Cum-Exclusive Special Judge POCSO Act, Patna.

(Sunil Kumar Panwar, J)

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