

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5627 of 2024

Arising Out of PS. Case No.-193 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Mukesh Kumar Son Of Chandrika Paswan Resident Of Village- Dumarbana
@ Dubarbana, Ward No. 10, P.S.- Pakridayal @ Pakridayal District - East
Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in connection with
Pakridayal P.S. Case No. 193 of 2023 registered for the offence
under Sections 363, 365, 366(A), 34 of Indian Penal Code and
Section 4, 8 of POCSO Act.

3. As per the prosecution case, the allegation against the
petitioner is that he alongwith other co-accused persons
kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. He further submits that the petitioner is in custody
since 16.11.2023.

5. However, learned APP for the State vehemently
opposed the prayer for regular bail.



6. Having heard both the parties, perused the bail petition and impugned order dated 12.12.2023 passed by 7th Additional Sessions Judge – cum – Special Judge, POCSO Act, East Champaran, Motihari. It appears that FIR lodged by mother of victim under Section 363, 365, 366A/34 of I.P.C. and Section 4/8 of POCSO Act against 4 accused persons including the petitioner. From perusal of the impugned order it appears that medical board has assessed the age of victim as 18 to 19 years. Victim herself has stated her age to be 17 years in her statement u/s 164 Cr.P.C. that accused petitioner had accompanied her to Ludhiyana where they solemnized marriage and lived as husband and wife. As per submission victim is pregnant. Considering the aforesaid facts and circumstances, the period of custody of the petitioner, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge – cum – Special Judge, POCSO Act, East Champaran, Motihari in connection with Pakridayal P.S. Case No. 193 of 2023.

(Ramesh Chand Malviya, J)

saaurabhkr/-

U		T	
---	--	---	--

