

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14032 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- DHANKUND District- Banka

Chhotu Kumar Son of late Shankar Mandal Resident of Vill.-Biharpur
(Assimakaita), P.S.-Dhankund, Distt.-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad

For the Opposite Party/s : Ms. Rita Verma

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 24-04-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Dhankund P.S. Case No. 104 of 2023, lodged on 04.09.2023
under Sections 363/366(A)/34 of the Indian Penal Code and
under Section 8 and 12 of the POCSO Act.

3. As per the prosecution, the allegation of kidnapping
of informant's daughter is there in the FIR against four accused
persons including the present petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is a person of clean antecedent and is in custody since
30.09.2023. He submits that the victim has been recovered and
upon recovery she has not supported the prosecution in her
statement under Section 164 of the Cr.P.C. before the learned



Magistrate.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the statement under Section 164 of the Cr.P.C. has been called for by this Court on previous occasions.

6. Upon perusal of statement under Section 164 of the Cr.P.C. it transpires that the victim has denied the allegation made in the FIR.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner, above named, be granted bail, only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI Cum Special Judge, POCSO, Banka, in connection with Dhankund P.S. Case No. 104 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J)

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