

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13283 of 2024

Arising Out of PS. Case No.-116 Year-2023 Thana- BALIA BELON District- Katihar

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Tinku Sharma @ Tukai Sharma @ Tukai S/O Anadi Sharma @ Anodi Sharma
R/O Village- Raushan Ganj, P.S- Belia Belon, Distt.- Katihar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Singh, |Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA

ORAL ORDER

4 23-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with
Balía Belon P.S Case No. 116 of 2023 registered for the
offences punishable under Sections 363, 366 (A), 504,
506/34 / 376 of the Indian Penal Code and 4 of the POCSO
Act.

3. As per prosecution case, it is a case of
abduction of the minor girl of the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is next
submitted that there is love affair between the victim and
the petitioner. It is further submitted that petitioner has got



no criminal antecedent. It is also submitted that petitioner is in judicial custody since 02.09.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, case diary, statements of the victim, impugned order it appears that victim has admitted that she voluntarily went with the petitioner, in her statement under Section 164 Cr.P.C there is no allegation of sexual assault against the petitioner and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District & Sessions Judge VII, cum Special Judge POCSO Court Katihar in connection with Balia Belon P.S Case No. 116 of 2023.

(Ramesh Chand Malviya, J)

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