

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15900 of 2024

Arising Out of PS. Case No.-393 Year-2023 Thana- BIRPUR District- Supaul

Deepak Kumar @ Deepak Soni @ Deepak Kumar Soni son of Ramchandra Savarnkar @ Ramchandra Swarnkar Village- J.P Nagar W.No-26, Ps- Supaul Dist- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saraswati Kumar R/o- Surela Ps- Khairi Dist- Chamba H.P, P/A- 45 B, Battalion Border Po- SSB Camp Birpur Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-03-2024 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 section 366A, and 34 of the Indian Penal Code and Sections 8, 17 of the POCSO Act.

3. As per FIR, it is alleged that the co-accused namely, Pankaj Kumar and the victim were trying to flee to Nepal for the purpose of solemnization of marriage, but on



border area they were apprehended on the spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is the friend of the main accused, namely, Pankaj Kumar and due to which he has falsely been implicated in this present case. The petitioner is not named in the FIR and there is no specific allegation about his complicity levelled against him. The petitioner is neither apprehended on the spot nor he has any concern with the alleged occurrence or with the co-accused person. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 03.12.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Birpur (Bhimnagar O.P.) P.S. Case No. 393 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned ADJ-VI-cum Special Judge POCSO
Court, Supaul.

(Sunil Kumar Panwar, J)

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