

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23305 of 2024

Arising Out of PS. Case No.-150 Year-2023 Thana- NIRMALI District- Supaul

Jai Prakash Sah S/o Budhan Sah R/o vill - Itahari, ward no. 10, P.S. -
Marauna, Distt. - Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surya Narayan Yadav S/o Late Ganeshi Yadav R/o vill - Belasingar Moti,
ward no. 8, P.S. - Nirmali, Distt. - Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Sinha Mr. Suraj Narayan Yadav Mr. Ashok Kumar
For the Opposite Party/s	:	Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 15-05-2024 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 sections 363 and 366A of the Indian Penal Code.

3. As per prosecution case, the informant alleged that his grand-daughter went to field for work but she did not return. The informant came to know that his grand-daughter has been abducted by the accused persons including this petitioner. Thereafter, this case was lodged.

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. The petitioner is not named in FIR rather his name has come during the course of investigation. Victim was recovered and her statement was recorded under Section 164 of the Cr.P.C. wherein she has not whispered any complicity of the petitioner in respect of commission of rape. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 19.01.2024 in Cr. Misc. No. 70284 of 2023. Moreover, the petitioner is languishing in judicial custody since 23.07.2023.

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 the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Nirmali P.S. Case No. 150 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 Additional Sessions Judge-VI, cum



Special Judge, POCSO Court, Supaul.

(Sunil Kumar Panwar, J)

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