

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32803 of 2024**

Arising Out of PS. Case No.-543 Year-2022 Thana- TURKAULIYA District- East
Champaran

Mantosh Giri @ Mantosh Kumar Son of Bageshwar Giri Resident of Village -
Khajuriya, P.S. - Dumariya Ghat, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Adv.
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-05-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in connection with
Turkauliya (Raghunathpur) P.S. Case No. 543 of 2022 registered
under Sections 363, 366(A), 34 of the Indian Penal Code and
Sections 8 and 12 of the POCSO Act.

3. It is alleged that petitioner along with other co-accused
persons kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case due to village politics. Further
submission is that the present case has been lodged after a delay
of four days without any explanation. The victim in her



statement recorded under Section 164 Cr. P.C. denied the factum of kidnapping and stated that she herself went with this petitioner and solemnized marriage and from the wedlock, she gave a birth to a male child. The victim is major and she is living in her *Sasural*. Petitioner claims clean antecedent.

5. Having considered the facts and circumstances of the case as well as the statement of the victim recorded under Section 164 Cr. P.C., let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-cum-Special Judge, POCSO Act, Motihari, East Champaran in connection with Turkauliya (Raghunathpur) P.S. Case No. 543 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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