

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41547 of 2024

Arising Out of PS. Case No.-26 Year-2022 Thana- MAIGRA District- Gaya

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Timal @ Akhilesh Kumar @ Aklesh Kumar @ Aklesh Manjhi S/O Durgesh Manjhi @ Durga Manjhi R/O Village- Mocharim Tola Shreepur, P.S.- Bodh Gaya, Dist- Gayagaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akhilesh Yadav S/O Late Laxman Yadav R/O Vill- Bagpur, Ps- Maigra, Dist.- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shiva Shankar Sharma
For the Opposite Party/s	:	Mr.Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 364, 376(D), 302, 201, 120(B) of the Indian Penal Code and Section 4, 6 of POCSO Act.

Prosecution case in nutshell is that informant's minor daughter had gone to attend the call of nature but did not return. On search it came to light that co-



accused Yogendra Bharti had taken his daughter. It is alleged that co-accused Yogendra Bharti in connivance with petitioner and other co-accused persons, had abducted and committed murder of the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in the F.I.R. and his name sprang up on the basis of confessional statement of co-accused Yogendra Bharti. It is also submitted that petitioner is languishing in judicial custody since 23.07.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused Shiv Kumar Yadav has been granted bail vide order dated 16.05.2023, passed in Cr. Misc. No. 65274 of 2022 by this Court.

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



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Maigra P.S. Case No. 26 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge POCSO-cum-Additional Sessions Judge VII, Gaya.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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