

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41700 of 2024

Arising Out of PS. Case No.-402 Year-2023 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Anthoni Swarnkar @ Amarjit Anthoni Swarnkar @ Amardip Kumar @
Anthoni Soni Son Of Amrendra Kumar Sah @ Amrendra Swarnkar Resident
Of Village - Sultanganj, P.S. - Sultanganj, District - Bhagalpur At Present
Resident Of Balwahat Ward No.8, P.S. - Simri Bakhtiyarpur, District - Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rajesh Sah Son Of Mahendra Sah Resident Of Village - Balwahat, Ward
No.8, P.S. - Bakhtiyarpur, District - Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Binod Murari Mishra, Advocate
For the Opposite Party/s :	Mr. Nawal Kishore Prasad, A.P.P.
	Mr. Dinkar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-08-2024 Heard learned counsel for the parties.

2. Petitioner seeks regular bail in connection with
Special POCSO Case No. 57 of 2023 arising out of
Bakhtiyarpur P. S. Case No. 402 of 2023 in a case registered for
the offences punishable under Sections 363, 366(A) of the
Indian Penal Code and Sections 8 and 12 of the Protection of
Children from Sexual Offences Act.

3. As per the prosecution case, this petitioner along
with other accused persons kidnapped minor daughter of
informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that the



victim in her statement recorded under Section 164 Cr.P.C. has denied the prosecution case and has categorically stated that no one has kidnapped her and out of her own sweet will, she went with the petitioner to visit Varanasi. Petitioner is in custody since 16.07.2023. Charge-sheet has already been submitted. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State and learned counsel for the O.P. No. 2 vehemently opposed the bail application.

6. Considering the statement of the victim recorded under Section 164 Cr.P.C. and period of custody, the bail application is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge POCSO, Saharsa in connection with Bakhtiyarpur P. S. Case No. 402 of 2023 corresponding to Special POCSO Case No. 57 of 2023.

(Prabhat Kumar Singh, J)

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