

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40421 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- BIHIA District- Bhojpur

Vishal Kumar, Male, aged about 33 years, S/O Panna Lal Kharwar, resident of Village- Tripura, Colony, P.S.- Bihiya, Distt.- Bhojpur.
... .. Petitioner/s

Versus

The State Of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Raju Singh, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Bihiya PS Case No.31 of 2024 dated 08.02.2024, instituted for the offence punishable under Sections 366-A, 363 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence the informant and his wife were out of the house and returned home at about 5 PM and came to know that his daughter aged about 12 years has fled away. It is further alleged that one day prior to the alleged date of occurrence his daughter was talking with unknown person from her mobile which was taken away by him. On 02.02.2024, his daughter called from another numbers and told him about her returning



back. When the informant called her on 6th February, 2024, she refused to return.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel further submitted that the victim has been examined under Section 164 Cr.P.C., wherein, she has not whispered a word against the petitioner. Further submission is that he has not committed any wrong with the victim, rather, the victim girl was found at the Railway Station, Bihiya, where she was alone. The petitioner and his wife brought the victim to his house where he is doing the business of mat etc. There is no allegation of any indecent act having been committed by the petitioner. Charge-sheet has been submitted in the case. Petitioner is in custody since 25.04.2024 having clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VI cum Special Judge, POCSO Act, Bhojpur at Ara, in Bihiya PS Case



No.31 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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