

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55191 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- MAHILA P.S BAGHA District- West
Champaran

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Kishan Sarkar Son of Upendra Sarkar RESIDENT OF VILLAGE- SRIPUR,
P.S- SRIPUR, DISTRICT -GOPALGANJ

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi Wife of Dharmendra Mandal R/O Vill.- Arvind Nagar Colony,
Medrol, Ward no. 02, P.s.- Semra, Dist.- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sujeet Kumar
For the Opposite Party/s : Mr.Nand Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 14-08-2024 Heard the learned counsel for the petitioner as well

as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Bagha Mahila P.S. Case No. 11 of 2024 for the offences
punishable under Sections 341, 323, 363, 504, 506, 366A and 34
of the IPC and Section 8 of the POCSO Act.

3. As per allegation, the accused persons including
the petitioner kidnapped the informant's daughter for the
purpose of marriage.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. He has further submitted that the allegation against the
petitioner is general and omnibus in nature. He has also



submitted that there was love and affection between the alleged victim and the petitioner. He has next submitted that in her statement recorded under Section 161 of the CrPC, the victim has not supported the prosecution case. The petitioner is a person of clean antecedent and is under custody since 20.03.2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum-Special Judge POCSO Bettiah, West Champaran in connection with Bagha Mahila P.S. Case No. 11 of 2024, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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