

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59856 of 2024

Arising Out of PS. Case No.-944 Year-2023 Thana- DIGHA District- Patna

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Austin Smith @ Aastini Smith Son Of John Anthony Smith @ John Smith
Resident Of Susnileva Kamal Kateserihya School Ke Pas, Memko More,
Police Station - Barvaadda, District - Dhanbad, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shaktiveer Yadav S/o Lal Babu Yadav R/o Polsan Road, Mahendrapuram
Apartment - C - Block, Flat No. G-V, Digha, P.S. - Digha, Distt. - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepti Pandey, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 20-11-2024 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner seeks bail in connection with Digha

P.S. Case No. 944 of 2023 registered for the offence punishable

under Sections 363, 365 of the Indian Penal Code and Section

12 of the POCSO Act.

3. As per the prosecution case, the allegation against

the petitioner is of kidnapping the victim girl.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. He has

been falsely implicated only on the basis of suspicion.

5. Learned APP appearing for the State opposes the



prayer for regular bail of the petitioner.

6. From the statement of the victim girl, it appears that she was in relationship with the petitioner and she had travelled to Varanasi, Delhi, Kolkata, Dhanbad and thereafter, she was caught. The petitioner is in custody since 03.02.2024.

7. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Patna in connection with Digha P.S. Case No. 944 of 2023.

(Sandeep Kumar, J)

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