

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61773 of 2023

Arising Out of PS. Case No.-118 Year-2021 Thana- KHUDAGANJ District- Nalanda

Kundan Kumar S/O Madhesh Paswan R/O Vill - Serthua Khurd, P.S. -
Khudaganj, Distt. - Nalanda Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 61795 of 2023

Arising Out of PS. Case No.-118 Year-2021 Thana- KHUDAGANJ District- Nalanda

Fantush Kumar Son Of Late Chandradeb Paswan Resident Of Village-
Serthua Khurd, Ps- Khudaganj, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 61773 of 2023)

For the Petitioner/s : Mr.Bishwa Bijay Kumar

For the Opposite Party/s : Mr.Asha Kumari

(In CRIMINAL MISCELLANEOUS No. 61795 of 2023)

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 18-01-2024 Heard learned counsel for the petitioners and
learned APP for the State. Perused the case diary.

The petitioners have prayed for regular bail in a
case registered for the offence punishable under sections
366(A), 120(b) and 34 of the Indian Penal Code and charge
sheet has been submitted under Sections 366(A), 506 and



34 of the I.P.C. and Section 8 of the POCSO Act.

As per F.I.R., the allegation against the accused persons including the petitioners is that they abducted the informant's minor daughter.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. There is no specific allegation against the petitioners. The victim girl has been recovered and her statement was recorded under Section 164 of the Cr.P.C. wherein she has stated that the petitioners along with others abducted her for the purpose of marriage but she has not stated about any physical assault and physical misbehave against the petitioners. The other co-accused namely, Gautam Kumar has already been granted bail by another co-ordinate Bench of this Court vide order dated 30.08.2023 passed in Cr. Misc. No. 57005 of 2023. It is further submitted that petitioners have got no criminal antecedent and languishing in judicial custody since 23.03.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.



Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Khudaganj P.S. Case No. 118 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, POCSO, Bihar Sharif, Nalanda.

(Sunil Kumar Panwar, J)

lata/-

U		T	
---	--	---	--

