

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69856 of 2023

Arising Out of PS. Case No.-250 Year-2023 Thana- BANMANKHI District- Purnia

Lalan Das @ Lalan Kumar Das Son Of Bidya Nand Das @ Vidyanand Das
Village- Haripur Kala Panchayat Haripur Kala Ps- Bhargama Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 363, 366(A), 376 of the Indian Penal Code and Section 4 of the POCSO Act.

It is alleged against the petitioner that he enticed away the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. The petitioner and the victim girl were in love with each other and they have



solemnized marriage. A copy of the affidavit to that effect has been annexed as Annexure-4 to the petition. The victim girl was medically examined wherein the doctor has assessed the age of the victim girl between 17-19 years. Hence, the provision under the POCSO Act shall not be attracted against the petitioner. The victim in her 164 Cr.P.C statement has also not alleged any physical assault against the petitioner. The petitioner is languishing in custody since 02.06.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District



Judge-VI-cum-Special Judge, POCSO, Purnea in
connection with Banmankhi P.S. Case No. 250 of 2023.

(Sunil Kumar Panwar, J)

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