

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73182 of 2023

Arising Out of PS. Case No.-799 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

Madan Kumar Son Of Jawahir Kohar R/O Vill - Paiyan, P.S. - Sohan, Distt. -
Kaimur At Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363, 366A, 504, 506 and 34 of the Indian Penal Code and Section 12 of the POCSO Act.

3. Allegation against the petitioner is that he abducted the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The victim recovered and her statement was recorded under Section 164 of Cr.P.C., in which she has stated that she went outside from her home alone and thereafter went to Delhi with this petitioner and later on she



returned back to her home. She has not stated about any physical abuse committed with her by the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 13.09.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Bhabua P.S. Case No. 799 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act cum ADJ-VI, Kaimur at Bhabua.

(Sunil Kumar Panwar, J)

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