

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72276 of 2023

Arising Out of PS. Case No.-78 Year-2022 Thana- MAHILA P.S BAGHA District- West
Champaran

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Munna Mallah Son Of Late Purnawasi Mallah R/O Village- Antwapur, P.S.-
Ahirauliya, Dist.- Kushinagar (Uttar Pradesh)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-01-2024 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, 366(A), 323, 504, 34 of the Indian Penal Code and Sections 4/8 of the POCSO Act.

3. According to the prosecution case, the petitioner is said to have abducted the minor daughter of the informant on the pretext of solemnization of marriage.

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. From perusal of case diary, it appears that the victim girl was recovered and her statement



has been recorded under section 164 of Cr.P.C., wherein, she did not support the prosecution version and stated that she went from her home out of her own sweet will. She did not whisper any complicity of the petitioner in the alleged offence. The petitioner has got no criminal antecedent and he is languishing in judicial custody since 5.6.2023.

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 period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Bagaha Mahila P.S. Case No. 78 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VII-Cum-Special POCSO, Bettiah at West Champaran.

(Sunil Kumar Panwar, J)

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