

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72250 of 2023

Arising Out of PS. Case No.-146 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

Kripal Jaiswal Son Of Millu Jaisawal @ Jhillu Jaiswal Resident Of Village
And Post - Badhauna, P.S. - Chainpur, District - Kaimur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhash

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 366, 370(4), 370(A) (2), 376(2)(n) of the Indian Penal Code and Section 4(1), 6 of POCSO Act.

Allegation against the petitioner and other co-accused persons is that they abducted the daughter of informant and took her to Mumbai. It is further alleged that petitioner ravished her repeatedly and sold her to unknown persons.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Although victim has supported the prosecution case, in her statement recorded under Section 164 of Cr.P.C, which shows the complicity of petitioner in the offence but in deposition before trial court victim and her parents did not support the prosecution version of the case and turned hostile. Moreover, the petitioner is languishing in judicial custody since 28.01.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on



bail in connection with Bhabua P.S. Case No. 146 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO-cum-A.D.J. VI, Bhabua.

(Sunil Kumar Panwar, J)

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