

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72476 of 2023

Arising Out of PS. Case No.-136 Year-2023 Thana- SARAI District- Vaishali

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Mukesh Kumar S/O Dukhharan Paswan R/O Village- Rampur Ratnakar Urf
Sarsai, P.S- Sarai, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh, Adv.

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 13-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection
with Sarai P.S Case No. 136 of 2023 registered for the
offences punishable under Sections 363, 366, and 34 of
the I.P.C.

3. As per allegation in the FIR, the petitioner
and the co-accused persons are alleged to have
kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has
submitted that the petitioner has falsely been implicated
in this case. The petitioner has no criminal antecedent as



stated in para 3 of the bail petition. The victim in her statement recorded u/s 164 of the Cr.P.C has stated that no one had kidnapped her and she went to Delhi of her own will. It is further submitted that there is nothing on record which shows that the victim was forced to have illicit intercourse with another person. It is also submitted that petitioner is in judicial custody since 06.06.2023 and petitioner has got no criminal antecedent as stated in para 3 of the petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Court POCSO-cum-Additional Sessions Judge-VI, Vaishali at Hajipur in connection with Sarai P.S Case No. 136 of



2023.

7. However, the trial court is directed to conclude the proceeding of the *framing of charge* according to law within a period of **one months** from the date of receipt of this order.

(Ramesh Chand Malviya, J)

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