

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72470 of 2023

Arising Out of PS. Case No.-196 Year-2023 Thana- MADANPUR District- Aurangabad

Mithun Kumar, Son Of Shalik Chand Paswan R/O Village- Fesar, P.S.- Fesar,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 07-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with Madanpur P.S. Case No. 196 of 2023 for the offences registered under Section 366(A) of the Indian Penal Code and Sections 8, 12 of POCSO Act.

3. As per the prosecution case, petitioner is alleged to have enticed away the daughter of the informant with the help of other co-accused persons with intention to marry with her.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. The alleged date of occurrence is 19.10.2022, however the F.I.R. has been lodged on 04.05.2023 without any plausible explanation. Victim has not supported the prosecution case. She



has not made allegation of any overt act against the petitioner. Petitioner has no criminal antecedent. He is in custody since 05.06.2023. Charge-sheet has already been submitted. There is no chance of absconding of the petitioner or tampering with the evidence.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Madanpur P.S. Case No. 196 of 2023.

(Sunil Dutta Mishra, J)

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