

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73265 of 2023

Arising Out of PS. Case No.-153 Year-2023 Thana- SUGAULI District- East Champaran

Anish Kumar Son Of Jai Lal Sah @ Jailala Sah Resident Of Village - Tadhwa,
Nandpur, P.S.-Bairiya, District -West Champaran, Bettiah

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-02-2024 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 and 366(A) of the Indian Penal Code and Section 8 of POCSO Act.

3. Allegation against the petitioner is that he abducted the minor daughter of the informant for the purpose 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. The victim recovered and her statement was recorded under Section 164 of the Cr.P.C. in which she has not whispered any complicity of the petitioner in respect of commission of abduction rather she stated that she out



of her own sweet will went out from her house with the petitioner and thereafter they solemnized marriage in Bettiah. 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 18.09.2023.

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 in connection with Sugauli P.S. Case No. 153 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 6th Additional Sessions Judge-cum-Special Judge, POCSO, Motihari, East Champaran.

(Sunil Kumar Panwar, J)

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