

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74417 of 2023

Arising Out of PS. Case No.-58 Year-2023 Thana- BHAWANIPUR District- Purnia

BITTU KUMAR @ BITTU KUMAR PASWAN S/O MULHO PASWAN
R/O VILLAGE- CHAUSA, P.S- CHAUSA, DISTT.- MADHEPURA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Mr.Dr. Bidhu Ranjan, Adv.

Ms.Diksha Kumari, Adv.

For the Opposite Party/s : Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 02-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Bhawanipur (Ballia O.P.) P.S. Case No. 58 of 2023, registered for the offences punishable under Sections 363, 366A, 376D of the IPC and section 4 of POCSO Act.

3. As per allegation, co-accused Abhinandan Kumar had kidnapped the minor daughter of the informant.

4. The learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is a person of clean antecedent. Only the name of co-accused Abhinandan Kumar has been figured in the FIR. The petitioner is not named in the FIR. From perusal of FIR, it appears that it was within the knowledge of the informant that co-accused Abhinandan Kumar wanted to marry her daughter. As per medical report, the age of the victim is 16-18 years. He has



submitted further that the victim, under duress, had named the petitioner also along with named accused Abhinandan Kumar. He has also submitted that charge-sheet has been submitted and the petitioner is under custody since 06.04.2023. It has been submitted next that the petitioner has been falsely implicated in the statement of the victim under Section 164 of the Cr.P.C. which has been rendered by the victim in duress of her family members.

5. On the other hand, Sri J.N. Thakur, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VII-cum-Special Judge (POCSO), Purnia in connection with Bhawanipur (Ballia O.P.) P.S. Case No. 58 of 2023, subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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