

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73815 of 2023

Arising Out of PS. Case No.-38 Year-2023 Thana- NIMACHANDPURA District- Begusarai

SONU KUMAR S/O MANOJ TANTI VILLAGE- KAITH, WARD NO. 3,
PS. NEEMACHANDPURA, DIST. BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 29-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with POCSO Case no. 45 of 2023 (Neemachandpura P.S. Case no.38 of 2023) registered under sections 363, 366A and 34 of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the 13 year old daughter of the informant was kidnapped by the eight named accused persons including the petitioner herein.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. He is in custody since 26.3.2023, has no criminal antecedent and chargesheet has been submitted. It is submitted



that the statement of the victim was recorded under section 164 Cr.P.C. wherein she states that she was taken from her home by Bhola to his sister’s place and that the police came and brought her from Bhola sister’s place.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the contents of the statement of the victim recorded under section 164 Cr.P.C., the petitioner who is in custody for 11 months since 26.3.2023, has no criminal antecedent and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with POCSO Case no. 45 of 2023 (Neemachandpur P.S. Case no.38 of 2023) 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 6th Additional Sessions Judge-cum-Exclusive Special Court (POCSO) Act, Begusarai.

(Partha Sarthy, J)

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