

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79510 of 2023

Arising Out of PS. Case No.-149 Year-2022 Thana- SANOKHAR District- Bhagalpur

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GULSHAN KHATOON W/O SHEIKH NAJIR R/O VILLAGE- BARI NIKI,
PS. SANOKHAR, DIST. BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in connection with Sanokhar P.S. Case No. 149 of 2022 dated 06.08.2022 registered for the offence/s punishable u/ss 366A and 504 read with section 34 of the Indian Penal Code and 8 of the POCSO Act.

4. As per the prosecution case, the co-accused is alleged to have kidnapped the minor daughter of the informant for the purpose of marriage. When the informant went to his house to make complaint, all the accused persons abused him.



5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is a delay of 16 days in lodging the FIR. There was love affair between the victim and the co-accused person. Learned counsel has further submitted that the victim girl is not traceless. The specific allegation against the co-accused person. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhagalpur in connection with Sanokhar P.S. Case No. 149 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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