

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77399 of 2023

Arising Out of PS. Case No.-265 Year-2023 Thana- GORAUL District- Vaishali

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PAPPU PASWAN SON OF LATE MACHU PASWAN RESIDENT OF
VILLAGE- SONDHO DIH, WARD NO. 4, PO- SONDHO, PS- GORAUL,
DISTT- VAISHALI

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. ANITA DEVI WIFE OF SHRAVAN PASWAN RESIDENT OF VILLAGE-
SONDHO DIH, WARD NO. 4, PO- SONDHO, PS- GORAUL, DISTT-
VAISHALI

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Dharmendra Kumar Paswan, Advocate Mr. Amar Kumar, Advocate Ms. Deepshikha, Advocate
For the Opposite Party/s :		Mr. Shahabuddin Azeem @ S. Azeem, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 14-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with
Garoul P.S. Case No. 265 of 2023 registered for the offence
under Sections 363, 366A and 34 of IPC and Sections 4 and 8 of
POCSO Act.

3. It is a case of abduction of the daughter of the
informant by the accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. He is custody since 04.09.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, case diary and statement of victim under Section 161 of Cr.P.C., it appears that on the basis of written report of informant FIR was lodged under Section 363, 366A and 34 of IPC and Sections 4 and 8 of POCSO Act against 6 to 7 unknown person. On perusal of the statement of victim under Section 164 of Cr.P.C., it appears that no allegation was made against the present petitioner as stated by the victim she was in love affair with one co-accused Arun Kumar. She has stated before the learned Magistrate that she is aged about 20 years and certificate issued by the Principal of Utkramit Middle School, Sandho Dih, Garoul at Vaishali, namely, Bhola Prasad Singh date of birth of the victim is 27.04.2005 i.e. about 18 years.

7. Considering the aforesaid facts and circumstances of the case and also taking into account the period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge VIth – cum- Special Judge, POCSO,



Vaishali at Hajipur in connection with Garoul P.S. Case No. 265
of 2023.

(Ramesh Chand Malviya, J)

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