

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82468 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- GORIAKOTHI District- Siwan

MUNNA SAH @ MUNNA KUMAR SON OF KISH KUMAR SAH R/O
VILLAGE- KARPALIYA, P.S.- GOREYAKOTHI, DIST.- SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhakar Singh

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-03-2024 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 376/511 of the Indian Penal Code.

3. Allegation against the petitioner is that he took away the minor daughter of the informant, aged about 3 years inside door and committed wrong but in the meantime, he fled away after seeing the brother of the informant.

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. It is also submitted vide para-9 of the petition that the victim is his own cousin as such, the allegation is totally improbable. She is minor, aged about 3



years who was not able to give statement before learned court below, then question arises about her statement. It is also submitted that during course of investigation, witnesses of this case vide para 22-26 of the case diary have not supported the case of prosecution and stated that the victim/baby girl was playing in naked condition. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 24.5.2023.

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 period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Goreyakothi P.S. Case No. 98 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 Additional Sessions judge-VI-Cum-Special Judge, POCSO, Siwan.

(Sunil Kumar Panwar, J)

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