

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80803 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- TELHARA District- Nalanda

ROUSHAN KUMAR Son of KishoriMistri @ Bhutali R/o vill - Erai, P.S. -
Shahjahanpur, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Karu Mistry Son of Late Shiv Nandan Mistry R/o vill - Mandachh, P.S. -
Telhara, Distt. - Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajanan Mishra

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-02-2024 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 section 363,
366A, of the Indian Penal Code and Sections 8/12 of the
POCSO Act.

3. As per FIR, the informant alleged that the
petitioner and co-accused persons abducted her daughter due
to ulterior motives.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has falsely been implicated in this



present case merely on the basis of suspicion. As per statement of the victim recorded under Section 164 of the Cr.P.C., wherein she has stated that she was in love with this petitioner and she went with him with her own sweet will. Thereafter, they solemnized Court marriage at Patna City. The petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 07.09.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Telhara P.S. Case No. 82 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-VIII-cum Special Judge POCSO, Bihar Sharif at Nalanda.

(Sunil Kumar Panwar, J)

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