

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 83332 of 2023

Arising Out of PS. Case No.-115 Year-2021 Thana- KORHA District- Katihar

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Pawan Mukhiya@ Pawan Kumar Mukhiya Son Of Late Reet Mohan
Mukhiya Resident Of Bishariya, P.S. - Korha, District - Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 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.

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 and previous
dispute. There is no specific allegation of any wrong doing



levelled against the petitioner rather specific allegation of physical relation levelled against co-accused, Mithlesh Kumar. Similarly situated co-accused has already been granted bail by this Court vide order dated 18.12.2023 passed in Cr. Misc. No. 81523 of 2023. The petitioner is languishing in judicial custody since 22.07.2023.

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 Korha P.S. Case No. 115 of 2021 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-VII-cum Special Judge, POCSO, Katihar.

(Sunil Kumar Panwar, J)

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