

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81791 of 2023

Arising Out of PS. Case No.-139 Year-2022 Thana- KORMA District- Sheikhpura

Diwakar Kumar Son Of Upendra Ram R/O Village- Pendi, P.S.- Sarmera,
Dist.- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Roop Kishan

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Section 366(A) of the Indian
Penal Code and Section 8 of POCSO Act.

3. Prosecution case relates to abduction of minor
daughter of the informant by the petitioner in connivance with
other FIR named accused persons.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. Statement of the victim girl was recorded
u/s 164 Cr.P.C. in which she has stated that out of her own
sweet will, she has gone to the village of petitioner and
performed marriage there. She has not raised any finger against



the petitioner for any offence. Presently she is living in her matrimonial home. Age of the daughter of the informant has been accessed as more than 18 years by the lower court. Petitioner has no criminal antecedent and he is languishing in judicial custody since 28.08.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge, VI-cum-Special Judge (POCSO Act), Sheikhpura in connection with Korma P.S. Case No. 139 of 2022.

(Sunil Kumar Panwar, J)

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