

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86504 of 2023

Arising Out of PS. Case No.-166 Year-2022 Thana- KUMAR KHAND District- Madhepura

SANTOSH PASWAN son of late medhar paswan resident of village-
bhairopur, ward no. 2, Ps- Kumarkhand, Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 19-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kumarkhand P.S. case No. 166 of 2022 instituted for the
offences under Sections 366A of the Indian Penal Code and
Section 8 of the POCSO Act.

3. Prosecution case, in short, is that the informant
states that she saw accused persons including the petitioner
herein, roaming in front of her house and asked them to leave.
Subsequently, her 14 year old daughter was found missing from
the house. The informant states that she is convinced that the
accused persons have kidnapped her minor daughter.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 13.06.2023 and has clean



criminal antecedent. Charge-sheet has been submitted in this case. There is no specific overt act alleged against the petitioner. He further submits that, on similar footing, the co-accused person has already been granted bail by the co-ordinate Bench of this Court vide order dated 20.12.2023 passed in Cr. Misc. No. 68906 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and specially the grant of bail to the co-accused person, namely, Suman Kumar, vide order dated 20.12.2023 passed by the co-ordinate Bench of this Court, as well as the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Kumarkhand P.S. case No. 166 of 2022.

(Rudra Prakash Mishra, J)

Alok Verma/-

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