

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85804 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- MAINATAND District- West Champaran

1. Akbali Thakur @Rambali Thakur SON OF UMESH THAKUR RESIDENT OF VILLAGE- BASANTPUR, PS- MAINATAND, DISTT- WEST CHAMPARAN
2. Bhuteli Gaddi @ Gulshan Gaddi Son Of Manju Gaddi @ Manju Raut Resident Of Village- Basantpur, Ps- Mainatand, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Chandra
For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case instituted for the offence under Sections 363, 366(A) and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. The allegation against the petitioners along with others is of abducting the daughter of the informant forcibly.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They



have committed no offence. The victim girl has been recovered and her statement recorded u/s 164 of the Cr.P.C., in which she does not whisper about the complicity of these petitioners. There is no complaint with regard to physical assault, sexual abuse/misbehave against the petitioners to the victim girl. He further submitted that the charges against these petitioner have already been framed and the victim has been examined as PW-2 and in her Examination-in-chief she has stated that since a minor altercation took place with her mother as such, she had gone to her *aunt* house, where she stayed for five days and returned. Petitioners have got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody for six months.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions



Judge 7th-cum-Special Judge (POCSO), West Champaran at
Bettiah in connection with Mainatand P.S. Case No. 46 of 2023.

(Sunil Kumar Panwar, J)

Arish/-

U		T	
---	--	---	--

