

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2067 of 2024

Arising Out of PS. Case No.-1071 Year-2023 Thana- KAHALGAON District- Bhagalpur

Badal Kumar S/O Narayan Mandal VILLAGE- SHAHPUR, PS. GHOGHA,
DIST. BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh, Adv

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
POCSO Case No. 219/2023 arising out of Kahalgaon P.S. Case
No. 1071/2023 registered on 11.09.2023 lodged under Sections
363, 366A of I.P.C. and Section 8 of POCSO Act.

3. As per the prosecution case, the allegation of
kidnapping as well as the POCSO is attracted in the present
F.I.R. against the petitioner who is sole accused.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that from the
rejection order, it transpires that her statement under section 164
Cr.P.C. it seems that she has gone along with the accused to his
house and police has recovered the victim from the petitioner's



house.

5. Counsel submits that due to love affair this occurrence took place. Counsel further submit that petitioner is in custody since 13.09.2023 having clean antecedent.

6. Learned counsel for the State opposes the prayer for bail and submits that petitioner is minor as well as in the rejection order, statement under Section 164 Cr.P.C. is also against the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner, therefore, his bail application stands rejected. However, liberty is granted to the petitioner to renew his prayer for bail one year after cognizance taken under the POCSO Act.

(Dr. Anshuman, J)

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