

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79542 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- BHIMPUR District- Supaul

Viren Sharma @ Birendra Kumar Sharma, Son of Shankar Sharma, Resident of Mohalla- Bhimpur Ward No. 06, P.S.- Bhimpur, District- Supaul

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Vijay Mandal, Son of Late Utim Lal Mandal, Resident of village- Bhimpur ward no. 05, P.S.- Bhimpur, Dist- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Patla Kumari, Advocate
For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 25-02-2025 Heard Ms. Patla Kumari, learned counsel for the petitioner and Mr. Narsingh Tanti, learned APP for the State.

2. The petitioner has prayed for bail in connection with Bhimpur P.S. Case No. 58 of 2024 registered for the offence punishable under Sections 363, 366(A) and 34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. The case of the prosecution is that the minor daughter of the informant has gone to purchase vegetables. When she did not return for a considerable momemt, she was being searched. One of the family members informed the informant that the petitioner has kidnapped the minor daughter of the informant.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It is further submitted that during course of investigation, the victim has given her statement under Section 164 of the Cr.P.C. wherein she has stated that she has gone with the petitioner on her own will as the parents of the victim were fixing her marriage with somebody else and she was having relation with the petitioner. The medical examination of this victim was conducted and as per medical report, her age was ascertained to be 19-20 years. During course of investigation, it has also come that the victim has married with petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 09.05.2024.

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, 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 Sessions Judge-VI-cum-Special Judge, POCSO Act,
Supaul in connection with Bhimpur P.S. Case No. 58 of 2024.

(Ashok Kumar Pandey, J)

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