

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81036 of 2024**

Arising Out of PS. Case No.-560 Year-2022 Thana- KESARIA District- East Champaran

Roshan Pandey @ Golu Pandey @ Golu Kumar Son of Mukesh Pandey R/O-
Village- Sheuri, Ward No. 12, PS- Mashrakh, District- Saran (Chapra)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Birendra Yadav S/o Late Trivhuwan Yadav R/o vill- Dehkha, P.S. - Kesaria,
Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Pandey, Advocate
For the Informant/s	:	Mr. Mayank Raj, Advocate
		Mr. Narendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER**

4 30-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 363, 366A/34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. The case of the prosecution is that the petitioner with the help of other co-accused persons kidnapped the informant's minor daughter aged about 17 years when they have gone for walk.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. During course of investigation the victim has given her statement recorded under Section 164 of the Cr.P.C., wherein she has stated that she was on talking terms with the petitioner and that



she has gone with the petitioner and after attaining majority, she has married with the petitioner and now she is living with her mother-in-law, she is also having a baby. It is further submitted that the petitioner is languishing in judicial custody since 28.09.2024.

5. On the other hand, learned counsel for the informant has supported the arguments of the learned counsel for the petitioner. He has also submitted that the parties have compromised the case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kesariya P.S. Case No. 560 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th District Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari, Bihar.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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