

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85241 of 2024

Arising Out of PS. Case No.-310 Year-2023 Thana- MUFFASIL District- West Champaran

Vishal Kumar, Son of Bhuti Giri, R/o Village- Parsa, PS- Manuapul, District-
West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X, Wife of Manoj Ram, R/o Village- Parsa, Ward no. 2, PS- Manuapul
District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Ms.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 310 of 2023 registered for the offence punishable under Sections 363, 364A and 34 of the Indian Penal Code, Section 8 of the POCSO Act and Section 3(i) (r)(s) of SC/ST (POA) Act.

3. The case of the prosecution is that the daughter of the informant has gone to provide food to her grandmother and in the meanwhile the accused persons kidnapped her for the purpose of marriage. The informant also came to know that the accused persons have taken the victim on a bike.

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 in this case police has submitted final form. It is also clear from the order of the trial Court that the victim herself has not supported the case of the prosecution. Learned trial Court has taken cognizance referring from the view of the police. It is well settled that order of the cognizance is not a material for considering the bail. Petitioner is languishing in judicial custody since 19.09.2024.

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 as well as period of custody, 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 Special Judge POCSO-cum-A.D.J.-VI, West Champaran, Bettiah in connection with Bettiah Muffasil (Manuapul) P.S. Case No. 310 of 2023.

(Ashok Kumar Pandey, J)

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