

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84039 of 2024

Arising Out of PS. Case No.-138 Year-2021 Thana- SIKTA District- West Champaran

Bhola Kumar Paswan @ Bhola Paswan S/O Bhutan Paswan Resident of
Village- Barwat Sena, P.S. Bettiah Muffasil, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sakila Khatoon, Wife of Alamgir Miya, Resident of Village- Ward No. 06,
Suryapur P.S.- Sikta, District-West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 20-03-2025 Heard learned counsel for the petitioner and Mr.
Binod Kumar, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 363, 366(A) and 379 of the Indian Penal Code and under Section 08 of the POCSO Act.

3. The case of the prosecution is that the minor daughter of the informant was enticed and kidnapped by the petitioner and others.

4. Learned counsel for the petitioner submits that during course of investigation the victim was recovered and she has given her statement under Section 164 Cr.P.C. wherein she



has stated that she was being scolded by her parents due to which she went to the house of her mausi and she was not being kidnapped. Learned counsel further submits that the final form was submitted against the petitioner by the police but the trial court has taken cognizance against him. Cognizance is not a material for consideration of bail. The petitioner is in custody since 01.10.2024.

5. Learned APP appearing for the State has opposed the prayer of regular bail.

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 released on bail in connection with Sikta P.S. Case No. 138 of 2021 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum-Special Judge (POCSO), West Champaran, Bettiah.

(Ashok Kumar Pandey, J)

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