

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86093 of 2024

Arising Out of PS. Case No.-215 Year-2023 Thana- AANDAR District- Siwan

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Satish Kumar Pandey S/O Umesh Pandey R/O Village- Kanhauli, P.S- M.H. Nagar Andar, District-Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shilpi Devi W/O Brajesh Dubey R/O Village- Bhikhpur Bhagwanpur Tola Chakiya, P.S- M.H. Nagar, Distt.- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Md. Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Andar (M.H. Nagar) P.S. Case No. 215 of 2023 dated 30.10.2023 (G.R. No. 5184 of 2023) registered for the offences punishable u/ss 363 and 366A of the Indian Penal Code however, the police has submitted charge-sheet under sections 363, 366A and 376 read with section 34 of the IPC and section 4/6 of the POCSO Act.

3. As per the prosecution case, the co-accused persons are alleged to have kidnapped the minor daughter of



the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up only because he is the brother of the co-accused Ashish Kumar. There is no specific allegation against the petitioner. It is further submitted that the victim girl was recovered by the police from her own house. It is further submitted that her statement u/s 164 of the Cr.P.C. has also been recorded. Learned counsel has further submitted that there is no allegation against the petitioner for the offence of sexual assault. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Andar (M.H.



Nagar) P.S. Case No. 215 of 2023 dated 30.10.2023 (G.R. No. 5184 of 2023).

7. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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