

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86965 of 2024

Arising Out of PS. Case No.-19 Year-2022 Thana- BIHARIGANJ District- Madhepura

Bibhishan Kumar Son of Butan Mehra Resident of village- Madhukar Chak
Ward No. 2, PS- Bihariganj, District Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shila Devi Wife of Late Kamleshwari Ram Resident of village- Madhukar Chak Ward No. 2, PS- Bihariganj, District Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Barun Kumar Singh, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-02-2025 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 POCSO Case No. 21 of /2022 arising out of Bihariganj P.S. Case No. 19 of 2022 dated 22.01.2022 registered for the offences punishable u/ss 363, 366A read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have abducted the informant's daughter with bad intention. It is further alleged that when the informant went to the house of the petitioner then the accused persons named in the F.I.R. assaulted her and slammed her by catching hold of her



hair. They also threatened her if she made complaint before police or society then she would be killed. The informant apprehends that the accused persons named in the F.I.R. abducted her daughter and also raised suspicion that they would kill her daughter after committing wrong with her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the informant (P.W.1) in her cross-examination (as stated in para-8) has stated that no one had kidnapped her daughter and no one had committed wrong to her daughter. The victim (P.W.6) has not stated anything regarding her kidnapping/ abduction. She has also stated in her cross-examination that the accused persons had not abducted her. Learned counsel has further submitted that the petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 15.02.2022.

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, Madhepura in connection with Bihariganj P.S. Case No. 19 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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