

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39792 of 2018

Arising Out of PS. Case No.-10 Year-2018 Thana- MAHESI District- Saharsa

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Ghanshyam Sah Son of Babujee Sah Resident of Village- Sirbar, Police
Station- Mahesi, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Amit Kumar Singh, Adv.
For the Opposite Party : Mr. Ram Naresh Ray, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioner and the State.

This is an application for regular bail in connection with Mahesi P.S. Case No.10 of 2018, Pocso-4 of 2018 registered for the offences punishable under Sections 363, 376(D) and 34 of the Indian Penal Code and under Section 6 of the Protection of Children from Sexual Offences Act.

Informant is the mother of victim girl who in her FIR has alleged that her daughter Sushma Kumari aged about 15 years was studying in the village school in class-IX and petitioner used to come to her house and enticed her daughter. On 18.01.2018 at about 6:00 P.M. she was taken away on motorcycle by petitioner and one Abhishek Kumar. She was confined in a room from 18.01.2018 to 22.01.2018 and thereafter somehow she fled from that room and came to her house and thereafter the present FIR has been lodged.

It has been submitted on behalf of the petitioner that the statement of the victim girl has been recorded under Section



164 Cr.P.C. on 23.01.2018 in which she has stated that she has love affair with Abhisekh Kumar and used to talk with him on mobile. She has also stated the mobile number and has further stated that she is in love with him. The said Abhisekh Kumar was apprehended by the villagers and was forced to marry the victim girl and thereafter marriage was also solemnized in the house. Abhisekh Kumar wants to keep her but his father was not agreeable. Allegation against petitioner is that he had accompanied Abhisekh Kumar in taking away the victim girl. It has further been submitted that he has no criminal antecedent and he is in custody since 23.01.2018.

Considering the facts and circumstances of the case, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge, 1st cum Special Judge (Pocso), Saharsha in connection with Mahesi P.S. Case No. 10 of 2018, Pocso-4 of 2018.

(S. Kumar, J)

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