

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11496 of 2018

Arising Out of PS.Case No. -901 Year- 2017 Thana -SAHARSA District- SAHARSA

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1. Neeraj Sada @ Neeraj Kumar Sada, Son of Late Bisheshwar Sada @ Bir Bisheshwar Sada, Resident of Village-Sulindabad, Ward No.2, P.S.-Saharsa, District-Saharsa.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 27-02-2018 Heard both sides.

The petitioner apprehends his arrest in POCSO Case No.31/2017, arising out of Sadar Saharsa P.S. Case No.901 of 2017 registered under Sections 363, 365, 34 of the Indian Penal Code and Section 08 of POCSO Act.

The informant named the petitioner along with other accused persons and alleged that all the accused persons kidnapped her daughter for the purpose of marriage for illegal works.

Learned counsel for the petitioner submits that the victim appeared in court and made her statement under Section 164 of the Code of Criminal Procedure. She disclosed her aged to be 20 years. She further disclosed that she voluntarily left her



house and went to Hariyana. She called Neeraj, the petitioner and solemnized marriage with him. Neeraj, the petitioner did not kidnap her.

Considering the facts aforesaid that the victim herself denied the factum of her kidnapping and she disclosed her age to be 20 years, the petitioner above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail 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-cum-Special Judge (POCSO), Saharsa, in connection with POCSO Case No.31/2017, arising out of Sadar Saharsa P.S. Case No.901 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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