

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50912 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- SIRDALA District- Nawada

SUDHIR KUMAR, Son of Naresh Prasad Resident of Village- Gopalpur, P
S.- Sirdalla, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishwa Ranjan Choudhary
For the Opposite Party/s : Mr.Ramchandra Sahni

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sirdalla P.S. Case no. 379 of 2018, registered under
Sections 341, 323, 506/34 of the Indian Penal Code and 4/8 of
the POCSO Act.

The accusation is that informant aged about 16
years used to reside at her Nanihal in village-Gopalpur since
2015 in connection with her study. In the year 2016, the
informant came in touch with petitioner and on pretext to
perform marriage, he developed physical relation with the
informant. When informant asked to petitioner regarding
performing of marriage then he narrated wrong facts to his
parents and he was sent outside by his parents. The parents of



petitioner refused to perform marriage with the informant and threatened for dire consequences.

Learned counsel for the petitioner submits that, in fact, parents of informant approached the parents of petitioner to perform marriage of informant with the petitioner, but parents of petitioner were not ready then threatening was given to his parents. Thereafter, mother of petitioner filed Complaint Case No. 1354 of 2018 on 30.11.2018 in the Court of Chief Judicial Magistrate, Nawada, but parents of the informant managed to lodge the present case. Further submission is that while in the F.I.R., the informant alleged that this petitioner refused to perform marriage, but in her statement recorded under Section 164 of Cr.P.C. she, clearly, stated that parents of petitioner made demand of Ten Lakhs, but her parents were not able to fulfill the demand of 10 lakhs, due to that reason, her marriage could not be performed with the petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions



Judge-I, Nawada in connection with Sirdalla P.S. Case No. 379
of 2018, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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