

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14567 of 2020

Arising Out of PS. Case No.-268 Year-2019 Thana- AMARPUR District- Banka

SANDIP KUMAR @ SANDIP KUMAR YADAV S/o Sri Upendra Pd. Yadav
@ Sri Upendra Yadav Resident of Village- Chandela, P.S.- Fullidumar, Distt-
Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-09-2020 Heard the learned counsel for the petitioner
and Sri Ashok Kumar, the learned APP for the
State.

This is an application for grant of anticipatory
bail in connection with Amarpur (Fullidumar) P.S.
Case No. 268 of 2019 registered for the offence
punishable under Sections 363, 366(A)/34 of the
Indian Penal Code and Section 8 of the POCSO Act.

The case of the prosecution in brief is that the
accused persons including the petitioner herein are
stated to have allured the minor daughter of the
informant.

The learned counsel for the petitioner has



submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted by referring to the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate that she had voluntarily left her home and has solemnized marriage, whereafter, she has been living with the petitioner as husband and wife.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner as also taking into account the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a



period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1, Banka in connection with Amarpur (Fullidumar) P.S. Case No. 268 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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