

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35754 of 2020

Arising Out of PS. Case No.-75 Year-2020 Thana- KALYANPUR District- Samastipur

Ram Prabesh Sahni Son of Raghuraj Sahni @ Raghunath Sahni Resident of
village - Pakrideeh, P.S.- Kalyanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Vikramdeo Singh, Advocate Mr.Kumar Praveen, Advocate
For the State	:	Mr.A.G
For the Informant	:	Mr. Anup Kumar Pandey, Advocate Mr. Vinay Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 01-02-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kalyanpur P.S. Case No. 75 of 2020 for the offence registered
under Sections 363, 366A, 504, 506/34 of the Indian Penal
Code.

The allegation is regarding the petitioner having
kidnapped the victim girl.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing
in custody since 24.06.2020. The learned counsel for the
petitioner has further submitted by referring to the statement of



the victim girl made under Section 164 Cr.P.C. before the learned Magistrate that the victim girl has herself stated that she had voluntarily eloped with the petitioner and has married with him. It is also submitted by referring to the said statement made under Section 164 Cr.P.C. before the learned Magistrate that the girl has disclosed her age to be 19 years and the learned Magistrate has recorded her age as 18 years, hence it is submitted that no offence as alleged, is made out against the petitioner herein.

Per contra, the learned counsel 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 and taking in into account the materials available on record as also in the case diary apart from considering the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released 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-
VI-cum-Special Court (POCSO), Samastipur in connection with
Kalyanpur P.S. Case No. 75 of 2020.

(Mohit Kumar Shah, J)

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