

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35060 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- PIPRAHI District- Sheohar

Govind Kumar Son of Ganesh Thakur, Resident of Village-Dhankaul, Ward No. 7, Police Station-Piprahi, District-Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ritesh Kumar Narain Singh,Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-01-2021 Heard both sides.

Petitioner seeks bail in Piprahi P.S. Case No.15 of 2020 registered under Sections 366A, 376 of the IPC and under Section 4 of the POCSO Act.

The informant (brother of the victim) made allegation that his sister had gone to the house of his grandfather but she did not return. The informant suspected that Govind Kumar (petitioner), Rita, Sonu and Manish Kumar kidnapped his sister.

Learned counsel for the petitioner submits that a case was initially instituted under Section 366A and 34 of the I.P.C. but the police after investigation submitted charge sheet under Sections 366A, 376 of the I.P.C. and under Section 4 of the POCSO Act but no offence is made out. The victim herself disclosed her age to be 19 years. The doctor also assessed her



age between 17 to 19 years. The victim made her statement under Section 164 of the Cr.P.C and she disclosed that she voluntarily left her house, went to Dehradun and solemnized marriage with Govind Kumar. When the victim came to know that a case had been lodged against her husband and his family members, she came to Sheohar to give her statement.

From perusal of the statement of the victim, it would appear that it is not a case of kidnapping rather there was a love affair between the petitioner and the victim.

Taking into consideration the fact that the victim herself disclosed that nobody kidnapped her and she voluntarily left her house, went to Dehradun and solemnized marriage with the petitioner, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned J.M., 1st Class, Sheohar in connection with Piprahi P.S. Case No.15 of 2020.

(Prabhat Kumar Jha, J)

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