

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9085 of 2022

Arising Out of PS. Case No.-7 Year-2019 Thana- ALOULI District- Khagaria

GUDDU KUMAR SON OF BIRENDRA THAKUR @ VIRENDRA
THAKUR RESIDENT OF VILLAGE- BUDHWA, POLICE STATION-
ALLOULI, DISTRICT- KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Suresh Pd. Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-06-2022 Heard learned counsel for the petitioner and the
State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 366A/34 of the Indian
Penal Code and sections 5/6 of the POCSO Act.

Allegedly, informant minor daughter aged about 15
years was kidnapped by this petitioner and co-accused persons
and while committing occurrence accused persons forcibly
seated the victim in Bolero vehicle.

The main submissions advanced by the learned
counsel for the petitioner are that so called victim has returned
and her statement has been recorded under section 164 Cr.P.C in
which she has not supported the allegation made in the FIR and



accepted her going according to her own free will to lead conjugal life with this petitioner and according to her statement she has solemnized marriage with this petitioner and a daughter is also born from the said wedlock. Further submission is that informant and this petitioner have compromised the case vide Annexure 3.

Learned APP opposes the prayer for bail.

Having considered the victim statement recorded under section 164 Cr.P.C which completely goes against the prosecution allegation and learned Magistrate assessed the victim age as 19 years, petitioner deserves privilege of bail

Accordingly, petitioner 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 the Additional Sessions Judge VI, Khagaria in POCSO case no. 32 of 2021 arising out of Allouli P.S Case No. 07 of 2019.

(Shailendra Singh, J)

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