

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28305 of 2021

Arising Out of PS. Case No.-762 Year-2020 Thana- MAJHAULIA District- West Champaran

Tinku Kumar @ Abhishek Kumar Son of Indrasan Bhagat Resident of Village
- Bhalui, P.S.- Majhauilya, Distt.- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 29001 of 2021

Arising Out of PS. Case No.-762 Year-2020 Thana- MAJHAULIA District- West Champaran

1. Indrasan Bhagat S/O Hari Bhagat R/O Village-Bhalui, P.S-Majhauilya, District West Champaran
2. Bindu Devi W/O Indrasan Bhagat R/O Village-Bhalui, P.S-Majhauilya, District West Champaran

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 28305 of 2021)

For the Petitioner/s : Ms. Anjali Kumari, Advocate.

: Mr.Bimlesh Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP.

(In CRIMINAL MISCELLANEOUS No. 29001 of 2021)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 21-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

The petitioner seeks anticipatory bail in connection



with Majhauriya P.S. Case No. 762 of 2020, registered for the offence under Sections 366A/34 of the Indian Penal Code and Section 12 of the POCSO Act.

From the reading of the F.I.R., it appears that the girl who was on the verge of attending majority had a love affair with one Roushan Kumar and she eloped with Roushan after taking money and jewellery from the house. Thereafter, she was recovered by the police and her statement under Section 161 Cr.P.C., was recorded. There is no allegation of any rape or sexual intercourse by the accused persons.

It has been submitted by the learned counsel for the petitioner that recently the girl has got married but the same is not on record and the learned counsel for the informant is also unable to support the statement of the petitioner.

Considering the fact that girl who was on the verge of attending majority and love affair with Roushan Kumar and she eloped with him these applications for anticipatory bail are allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, 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 6th cum Special Judge, Bettiah in connection with Majhauriya P.S. Case No. 762 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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