

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23766 of 2022

Arising Out of PS. Case No.-130 Year-2021 Thana- BELAGANJ District- Gaya

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Ravi Kant Kumar Son of Anil Kumar @ Anil Mahto Resident of Village -
Panari, P.S.- Belaganj, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Choudhary, Adv.
For the Opposite Party/s	:	Mr. Tarkeshwar Nath Thakur, APP.
For the Informant	:	Mr. Ajay Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner, learned
A.P.P. for the State as well as learned counsel for the informant
through virtual mode.

The petitioner seeks regular bail in connection with
Belaganj P.S. Case No. 130 of 2021 lodged under Section 366A
of the Indian Penal Code.

The allegation made in the F.I.R. is to kidnap a minor
girl of the informant.

Learned counsel for the petitioner submits that the
present case is the result of inter caste marriage. He submits that
the alleged victim was recovered and adduced her statement

under Section 164 of Cr.P.C. in which the alleged victim herself admitted that she solemnized her marriage with the petitioner, started living happily with the petitioner and from their happy married life, they have one kid also. Learned counsel for the petitioner further submits that the alleged victim and her son from the petitioner is residing with the family of the petitioner. He further submits that petitioner is in custody since 08.02.2022, chargesheet has already been filed in this case and petitioner is a man of clean antecedent.

Learned counsel for the informant vehemently opposed the prayer for bail and submits that on the date of alleged occurrence, daughter of informant was minor, her deposition under Section 164 of Cr.P.C. before the court that she was of 20 years is also not correct. He also submits that chargesheet has been filed under Indian Penal Code as well as under POCSO Act, therefore, the present bail application should be rejected.

Learned counsel for the State also opposes the prayer for bail but he supports the contention of statement recorded under Section 164 of Cr.P.C.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be

granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Gaya in connection with Belaganj P.S. Case No. 130 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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