

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45945 of 2021

Arising Out of PS. Case No.-111 Year-2021 Thana- SONBERSA District- Sitamarhi

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Ram Kumar Son Of Sri Sheetal Ram Resident Of Village- Majhaura, P.S.-
Bela, District- Sitamarhi.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abu Nasar

For the Opposite Party/s : Mrs. Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-01-2022 Heard the learned counsel for the petitioner and the

learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Sonbarsa
P. S. Case No.111 of 2021, instituted for the offences under
Sections 363, 366(A) read with Section 34 of the Indian Penal
Code and Section 8 of the POCSO Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 25.04.2021, he is a person with
clean antecedent and charge-sheet has been submitted in the
case.

Allegation in the F.I.R. is that the informant alleges
that his daughter (X aged about 14 years) is a student of Class-X
in Sonbarsa High School. On 26.03.2021, she had gone for her
tuition class, but she did not return and accordingly, search was



made, when the informant came to know that this petitioner had kidnapped his daughter and taken on his Apache motorcycle as detailed in the F.I.R.

The learned counsel for the petitioner submits that the date of occurrence is 26.03.2021 and the F.I.R. came to be instituted on 24.04.2021 without any plausible explanation for the delay. The learned counsel further submits that the girl came back and in her statement recorded under Section 164 of the Cr.P.C., she has very clearly stated that she was in love with this petitioner and they have married and were staying as husband and wife. Learned counsel further submits that in the medical examination also age of the victim was assessed in between 18-19 years and as such, she is a major.

The learned counsel for the petitioner submits that the victim on her own volition eloped with the petitioner and they got married and were staying happily as she has stated in her statement recorded under Section 164 of the Cr.P.C. also that she intends to go to her matrimonial home as it has been recorded in the impugned order.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody



since 25.04.2021, he is a person with clean antecedent and charge-sheet has been submitted in the case and the F.I.R. came to be instituted after a delay of more than a month, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, Sitamarhi in connection with Sonbarsa P. S. Case No.111 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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