

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53481 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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BIPIN KUMAR @ BIPIN THAKUR S/o DHURUP THAKUR R/o
VILLAGE-DHEKHA BALA TOLA, P.S-PIPRAKOTHI, DISTRICT-EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 27-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 363 and 366A
of the Indian Penal Code and sections 4 and 6 of the POCSO
Act.

As per the prosecution case, the petitioner is said to
have kidnapped the 14 year old daughter of the informant.

It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. The
daughter of the informant returned and her statement was
recorded under section 164 Cr.P.C wherein she has categorically
stated that she went with the petitioner out of her own volition
and married the petitioner in the temple. The petitioner is in



custody since 4.7.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and on perusal of the statement under section 164 Cr.PC, it transpires that the petitioner is a married man from before. Further, from the orders of the learned Court below brought on record as Annexure-2 series to the petition, it transpires that the daughter of the informant has been found to be a minor.

In view of the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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