

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46344 of 2022

Arising Out of PS. Case No.-73 Year-2022 Thana- BHAGWANPUR District- Begusarai

Sita Ram Pandit @ Sita Ram Kumar Son of Geno Pandit @ Ashok Pandit
Resident of Village - Maheshpur, P.S.- Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Satyendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-12-2022 The matter is heard through video conferencing in virtual mode.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State through virtual mode.

Petitioner seeks regular bail in connection with Bhagwanpur P.S. Case No. 73 of 2022 registered for the offences punishable under Sections 363, 366(A), 504, 34 of the Indian Penal Code.

Allegedly, the co-accused persons enticed the informant's minor daughter and took her along with them and later they married the victim with this petitioner.



The main submissions advanced by learned counsel Mr. Rana Sanjay Kumar Singh appearing for the petitioner are that the petitioner is completely innocent person, in fact the so-called victim left the house of her father according to her own will due to having love affair with the petitioner and later on she solemnized marriage with this petitioner and accepted the said relationship before the Judicial Magistrate while recording her statement under Section 164 Cr.P.C. and the said statement has been discussed in the order impugned by the Court below also. Further submission is that while recording the statement before the Judicial Magistrate the so-called victim showed her willingness to live at her sasuraal along with the family members of this petitioner and her age was assessed as 17 years by the Magistrate concerned who recorded her statement.

Learned APP Mr. Satyendra Prasad appearing for the State has opposed the bail prayer.

Having regard to the facts and circumstances of this case, considering the above submissions and mainly the victim's statement discussed above as well as in the order of the learned Court below which goes against the allegation made in the FIR and the petitioner is stated to be a young person and has been languishing in jail since 02.05.2022 and as per the statement



made in the petition against him the investigation has been completed, in the opinion of this Court the petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner be enlarged 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 Court concerned in connection with Bhagwanpur P.S. Case No. 73 of 2022.

(Shailendra Singh, J.)

annu/-

U		T	
---	--	---	--

