

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54026 of 2022

Arising Out of PS. Case No.-266 Year-2021 Thana- BASANTPUR District- Siwan

Raj Kumar S/O Dharmanath Rai Resident Of Village- Karhi Khurd, P.S.-
Basantpur, District- Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-12-2022 This matter has been listed today for consideration
through Video Conferencing.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Basantpur
P.S. Case No. 266 of 2021 registered for the offence punishable
under Sections 341, 323, 363, 366A 504, 506 of the Indian
Penal Code. It is stated in the petition that I.O. also added
section 376 IPC and 4/6 of POCSO Act.

As per the prosecution case, the allegation against the
petitioner is that he has carried away the informant's daughter
with intention to marry her, when informant asked the
petitioner's family members about his daughter, they have
abused and assaulted him.



Learned counsel for the petitioner submits that it is a matter of love affairs between the victim and the petitioner but parents of the girl did not accept the same. The victim is major who in her statement under the 164 Cr.P.C. has categorically stated that she has solemnized her marriage with the petitioner and left her house herself with her own will. She reiterated the same in her deposition in the Court also. The doctor assessed the age of victim between 17 to 19 years. He is in custody since 07.03.2022.

Learned APP appears for State opposes the bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO, Siwan in connection with Basantpur P.S. Case No. 266 of 2021.

(Sunil Dutta Mishra, J)

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