

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24930 of 2023

Arising Out of PS. Case No.-58 Year-2022 Thana- THARTHARI District- Nalanda

=====

TARUN KUMAR S/O DHANPAT PRASAD @ RABINDRA PRASAD
Resident of Village- Bahapar, P.S.- Karai Parsurai, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 341, 323, 307, 366A, 311, 372, 373, 498, 500 and 504 of the Indian Penal Code; Section 9 of the Child Marriage Act; Section 12 of the POCSO Act and Section 27 of the Arms Act.

The allegation against the petitioner is that he solemnized marriage with the minor daughter of the informant. It is further alleged that the accused persons want to sell the minor daughter of the informant and for fear they also fired with his pistol.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. From the perusal of the impugned order,



it reveals that the victim girl has recovered and her statement recorded u/s 164 of the Cr.P.C., in which she stated that she solemnized marriage with this petitioner with the consent and presence of mother, maternal grandfather, maternal grandmother of the victim, hence, the offence is not made out against the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 24.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge, Biharsharif, Nalanda in connection with Tharthari P.S. Case No. 58 of 2022.

(Sunil Kumar Panwar, J)

arish/-

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

