

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18454 of 2023

Arising Out of PS. Case No.-257 Year-2020 Thana- VAISHALI District- Vaishali

SUNIL KUMAR Son of Sabhapati Ram @ Ammu Ram Resident of village -
Madhopur Kutubpur, Chak Faridan, P.O.- Balukaram, P.S. and District –
Vaishali Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Vaishali P.S. Case no. 257 of 2020 instituted for the offence
under Sections 366A, 376/34 of the Indian Penal Code and
Sections 6, 8 and 12 of the POCSO Act.

Prosecution case relates to abduction of minor
daughter of the informant by the petitioner and two other named
accused.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. After recovery of the victim girl, her statement was
recorded u/s 164 Cr.P.C. Wherein she stated that she was forced
to marriage with co-accused Vikash Kumar and both are in
physical relation. After recovery, she again eloped with Vikas



Kumar. As para 10 of the petition, victim is leading happy conjugal life with co-accused Vikas Kumar. She has not raised any finger against the petitioner for any overt act. Petitioner has no criminal antecedent. After prevailing good sense, the matter has been compromised between the parties and they filed the same in the court of learned CJM, Vaishali on 28.09.2020.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Vaishali P.S. Case no. 257 of 2020, he will be enlarged 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 Additional Sessions Judge VI-cum-Special Judge POCSO, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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