

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21762 of 2023

Arising Out of PS. Case No.-220 Year-2022 Thana- KARPI District- Jehanabad

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Tantu Kumar @ Kannu Kumar @ Tannu Kumar @ Tano Kumar @ Amit Kumar, Gender-Male, Aged about 22 years, Son of Ramswarup Yadav @ Ram Swaroop Yadav Resident of Village - Sareya (Saraiya Par), P.S.- Shakurabad, District - Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party : Mr. Ram Sumiran Rai, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-05-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Karpi P.S. Case No. 220 of 2022 (arising out of POCSO Case No. 96 of 2022) dated 17.09.2022, instituted for the offence punishable under Sections 366(A), 504, 506 and 34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, on 13.09.2022, the petitioner took away the informant's minor grand daughter with intention of marriage and when the informant went to the house of the another co-accused Gauri Shankar Yadav for inquiry, then all co-accused abused and threatened to assault the informant and told that his grand daughter was in love with the petitioner.



Thereafter, the informant lodged F.I.R. against the petitioner as well as other co-accused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the occurrence took place on 13.09.2022 and F.I.R. was lodged on 17.09.2022 after delay of three days without any explanation. Further, it is submitted that the statement of the victim has been recorded under Section 164 of the Criminal Procedure Code. The victim has not made allegation against the petitioner in her statement under Section 164 of the Criminal Procedure Code and there is no allegation against the petitioner of sexual offence. Further, the victim has also stated in her statement that the victim married to the petitioner on 13.09.2022. Lastly, it has been submitted that the petitioner is in custody since 13.10.2022 having no criminal antecedents charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge (POCSO Act), Jehanabad in Karpi P.S. Case No. 220 of 2022 (arising out of POCSO Case No. 96 of 2022).

(Khatim Reza, J)

Gaurav Kumar/-

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