

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36560 of 2023

Arising Out of PS. Case No.-347 Year-2022 Thana- LAURIA District- West Champaran

Pappu Kumar @ Abhishek Kumar Son Of Dinesh Lal @ Dinesh Prasad
Shrivastava Resident Of Village- Bharwa Toli, Ward No. 4, Ps- Lauriya, Distt-
West Champaran. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sanjeev Kumar Shrivastava
For the Opposite Party/s :	Mr. Yogendra Kumar
For the Informant :	Mr. Bimlesh Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-09-2023 Heard learned counsel for the petitioner and learned A.P.P.

for the State assisted by learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 366/365/363 of the Indian Penal Code, later on Section 366A IPC read with Section 4/8 of the POCSO Act was added.

3. The petitioner is said to have taken away the daughter of the informant from his house.

4. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. It is further submitted that petitioner and victim girl loved to each other and the victim girl in her statement recorded under Section 161 Cr.P.C. has stated that love affair is going on between them and she has solemnized marriage with the petitioner in Court. Learned



counsel for the petitioner further submitted that from perusal of the Aadhar card of the victim girl, it is clear that the victim is major and a copy of the same has been annexed as Annexure-4 to this application. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State assisted by learned counsel for the informant vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, the statement of the victim recorded under Section 161 Cr.P.C. as also the fact that the marriage has been solemnized between them and they are living together, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Lauriya P.S. Case No. 347 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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