

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37947 of 2023

Arising Out of PS. Case No.-124 Year-2023 Thana- CHANPATIA District- West Champaran

ANUP KUMAR Son of Bhulan Sah Resident of village - Barwa Chap, P.S. -
Chanpatiya, 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.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 10-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner registered for the offence punishable under
Sections 366(A) of the Indian Penal Code and Section 8/12 of
POCSO Act.

Prosecution case relates to abduction of minor
daughter of the informant by the petitioner with an intention to
marry her.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. There is love affair between the petitioner and daughter
of the informant. Victim was in talking term with the petitioner
since long. Statement of the victim girl was recorded u/s 164



Cr.P.C. in which she has stated that petitioner had established consensual physical relationship with her on the pretext of marriage and out of her own sweet will, she left her house to visit Nepal with the petitioner. Medical report does not corroborate the prosecution case and no recent sign of rape was found. Petitioner has got no criminal antecedent and languishing in judicial custody since 26.04.2023.

Learned APP appearing for the State and learned counsel appearing for the informant has opposed the prayer of Bail and submitted that victim is minor girl.

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 **after framing of charge**. The above named petitioner is directed to be enlarged on bail after framing of charge 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 Special Judge, POCSO-cum-ADJ-VI, West Champaran, Bettiah in connection with Chanpatiya P.S. Case No. 124 of 2023.

(Sunil Kumar Panwar, J)

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