

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40690 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- ADAPUR District- East Champaran

SONU KUMAR S/O CHHATRI PASWAN @ CHHATRI HAJARA R/O
Village- Lakshmipur, P.S- Adapur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-08-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 366 and 34 of the Indian Penal Code and Section 8 of POCSO Act.
3. The informant alleges that his daughter eloped with the petitioner.
4. Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.
5. Learned counsel for the petitioner submits that the statement of the victim was recorded under Section 164 wherein she has not supported the case of the prosecution, rather, has stated that she got married with the petitioner and victim is a major aged about 20 years, it is further submitted that the date



of occurrence is 05.12.2022 and the FIR came to be instituted on 11.01.2023 i.e., after a delay of more than 36 days which amply demonstrates that the informant was aware about the occurrence and when he realized that the victim has married will not come back, the present false case came to be instituted.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Adapur (Harpur) P.S. Case No. 04 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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