

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52773 of 2023**

Arising Out of PS. Case No.-25 Year-2023 Thana- SIKRAUL District- Buxar

=====

GUDDU KUMAR S/O HARENDRA SINGH R/O VILLAGE-  
NARAYANPUR, PS. SIKRAUL, DIST. BUXAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      21-08-2023                      Heard the parties.

The petitioner is in custody in connection with Sikraul P.S. Case No. 25 of 2023 for the offence under sections 363, 366A of the Indian Penal Code and section 8/12 of the POCSO Act lodged on 02.04.2023 by the informant, Ravindra Singh.

As per the prosecution story, the allegation is that the minor daughter went to attend call of nature but found missing and the informant came to know that she has been taken by the petitioner. Accordingly, the F.I.R.

The victim girls subsequently returned and the learned counsel for the petitioner has taken this Court to the observation of the learned Session Judge Order in which the girl had narrated that she was fed up with the torture of her parents, left the residence on her own and later, married the petitioner herein.



Learned APP opposes the prayer for bail stating that the girl is minor.

Considering the fact that the victim girl has narrated under Section 164 of the Cr.P.C., as incorporated in learned Sessions Judge order that she left the place on her own due to being tortured by her parents, she subsequently claimed to have married the petitioner, he is in custody since 14.05.2023 and do not have criminal antecedent, F.I.R. lodged and ultimately will have to face the trial,, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-VI cum Special Judge POCSO Court, Buxar, in connection with Sikraul P.S. Case No. 25 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

**(Rajiv Roy, J)**

kiran/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

