

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52460 of 2023**

Arising Out of PS. Case No.-339 Year-2021 Thana- GAIGHAT District- Muzaffarpur

DILKHUSH KUMAR @ DILKHUSH LALDEV S/O KANT LALDEV R/O
VILLAGE- BATHWARA, P.S- GAIGHAT, DISTT.- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 08-11-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 363, 366(A)/34 of Indian Penal Code and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act.

3. It is alleged that petitioner along with other F.I.R. named accused persons kidnapped minor daughter of the informant for the purpose of marriage.

4. Learned counsel appearing for the petitioner submits that victim in her statement, recorded under Section 164 of Cr.P.C., has denied the prosecution case and has stated that as a matter of fact, the victim was slapped by her mother and out of anger she herself left the house. The victim has not alleged any sexual assault against anyone. Petitioner claims clean



antecedent.

5. Considering the statement of the victim recorded under Section 164 of Cr.P.C., this anticipatory bail is allowed and it is ordered that the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-6th-cum-Special Judge POCSO Act, Muzaffarpur in connection with Gaighat P. S. Case No. 339 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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