

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62112 of 2023**

Arising Out of PS. Case No.-367 Year-2021 Thana- HARSIDHI District- East Champaran

AMRENDRA SHARMA @ AMRENDRA KUMAR SON OF RAMBABU
SHARMA RESIDENT OF VILLAGE- BARHARPUR, PS- HARSIDHI,
DISTT- EAST CHAMPARAN AT MOTIHARI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Adv.

For the Opposite Party/s : Mr.Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 18-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 363, 366(A), 34 of the IPC r/w
sections 8, 12 of POCSO Act.

3. As per the F.I.R., informant alleges that the petitioner has
kidnapped his sister for the purpose of marriage or sell.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to ulterior motive.
No such occurrence, in the manner as alleged, has ever taken
place. It is submitted that love affair was going on between the
petitioner and the victim and she herself solemnized marriage
with the petitioner on 10.08.2022 before the office of Marriage



Officer, New Delhi, which is evident from Annexure-P-2 of the bail petition. It is further submitted that as per the matriculation certificate of the victim, her date of birth is 11.12.2003, therefore, she is not a minor. The statement of the victim was recorded u/s 164 Cr.P.C., in which, she admitted that she was in love affair with the petitioner and married with him. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since the victim is not a minor and has herself solemnized marriage with the petitioner, 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 Harsidhi P.S. Case No.367/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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