

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61361 of 2023

Arising Out of PS. Case No.-83 Year-2023 Thana- SALAKHUA District- Saharsa

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Ankush Kumar @ Lavkush Kumar S/O- Late Sanjay Yadav Resident Of
Village- Bathnahi, Ward No- 09, Ps -Salkhua District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner instituted for the offence punishable under
Sections 363, 366(A)/34 of the Indian Penal Code and Section
8, 12 of the POCSO Act.

As per allegation in the FIR, while daughter of the
informant went out to attend nature's call at 6:00 am. On
3.2.2020, several accused persons including the petitioner has
kidnapped her for marriage purpose.

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. Statement of the victim girl was recorded u/s



164 Cr.P.C in which she has stated that out of her own sweet will, she has eloped from her house and performed marriage with the petitioner and out of the said wedlock, a fetus is growing inside her womb. She has not raised any finger against the petitioner for any offence. Age of the victim lady has been accessed by the doctor between 17-19 years. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 29.05.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

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. The above named petitioner is directed to be enlarged on bail 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 I/c Additional Sessions Judge-VI-cum-Spl. Judge (POCSO) at Saharsa in connection with Salkhua P.S. Case No. 83 of 2023.

(Sunil Kumar Panwar, J)

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