

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69176 of 2022

Arising Out of PS. Case No.-115 Year-2022 Thana- CHAUSA District- Madhepura

GAURAV KUMAR Son of Sri. Laddu Singh Resident of Village - Rampur,
Ward No.- 8, P.S.- Chausa, District - Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-03-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks regular bail in connection with Chausa P.S. Case No. 115 of 2022, registered for the offences punishable under Sections 366A, 376/34 of the Indian Penal Code and Section 4 of the POCSO Act and Section 9 of the Prohibition of Child Marriage Act, 2006.

As per the prosecution, the informant's minor daughter aged about thirteen years was kidnapped by this petitioner along with co-accused persons.



The main submissions advanced by petitioner's counsel are that the so-called victim has been recovered and she has recorded her statement under Section 164 of Cr.P.C. in which she disclosed her age as eighteen years in the statement the victim accepted her matrimonial relationship with this petitioner and the facts revealed by her did not show that the petitioner committed the alleged occurrence as alleged in the FIR. Further submission is that the petitioner is a very young person having fair and clean antecedent and he has been languishing in jail since 30.05.2022.

Learned APP appearing for the State has opposed the prayer for bail.

In view of the facts, as stated above the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named-above 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 the concerned Court in connection with Chausa P.S. Case No. 115 of 2022.

(Shailendra Singh, J.)

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