

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76093 of 2023

Arising Out of PS. Case No.-200 Year-2023 Thana- KAHALGAON District- Bhagalpur

Sunny Kumar @ Shanni Kumar S/O Nirmal Yadav R/O Village-
Jagarnathpur, P.S- Kahalgaon, Distt.- Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Masleh Uddin Ashraf
For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The instant application for regular bail has been filed by the petitioner registered for the offence punishable under Sections 366(A), 504, 506/34 of the Indian Penal Code and Section 8 of the POCSO Act.

Prosecution case relates to abduction of 17 years old minor daughter of the informant by the petitioner in order to get marriage. When the informant went to the house of the petitioner to inquire into the matter, other family members abused and threatened of dire consequences.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has



committed no offence. Victim girl was recovered on 29.2.2023. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has stated totally different version. In fact, victim girl had solemnized marriage with the petitioner on 25.7.2023 and present she is residing at her matrimonial home. After prevailing good sense the matter has been compromised and they have filed a joint compromise petition in court below on 12..9.2023, which is annexed as Annexure-2 to this petition. In no circumstances, POCSO Act will attract against the petitioner. Petitioner is languishing in judicial custody since 10.09.2023.

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 Exclusive Spl. Judge (POCSO)-cum-7th Additional District and Sessions Judge, Bhagalpur in



connection with Kahalgaon PS Case No. 200 of 2023.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

