

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72846 of 2023

Arising Out of PS. Case No.-1106 Year-2022 Thana- MUFFASIL District- West Champaran

Manu Kumar @ Mannu Kumar S/O Jagdish Hajra @ Jagdish Paswan R/O
Village- Ward No. 12, Dhumnagar, P.S- Bettiah Mufassil, Distt.- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta, Adv

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Bettiah Muffasil P.S. Case No. 1106 of 2022, dated 31.12.2022, instituted for the offence punishable under Sections 366A and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. The allegation against the petitioner is of kidnapping the minor daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is further submitted that after recovery of the girl, she



has recorded her statement under Section 164 Cr PC, wherein, she has stated that on 27-12-2022 she eloped from her house with her own sweet will to her sister. Her parents wanted to solemnize her marriage somewhere else, but she dose not want to do the same, due to which she fled away to Delhi and there she met with the petitioner. She wanted to solemnize marriage with him. It is submitted that as per statement of the girl, there is no allegation of any illegal act against the petitioner. It is further submitted that the girl and the petitioner both are fall in love since 2-3 years back. They are major and wanted to marry with each other. The petitioner has no criminal antecedents, as per statement made in para 3 of the bail petition.

5. Learned A.P.P. as well as learned counsel for the informant have opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Bettiah Muffasil P.S. Case No. 1106 of 2022, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge POCSO -cum- Additional District Judge-VI, West



Champaran, Bettiah, subject to condition as laid down under
Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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