

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71983 of 2022**

Arising Out of PS. Case No.-39 Year-2022 Thana- MATIYARIA District- West Champaran

GUDDU PASWAN @ GUDDU KUMAR S/O Motilal Paswan @ Motilal
Hajara R/O Village- Charihani, P.S- Matiyariya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s	:	Mr. Lalan Kumar, A.P.P.
For the Informant	:	Mr. Prashant Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 149, 323, 504, 366A of the Indian Penal Code and Section 8 and 12 of the POCSO Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the victim has returned and her statement was recorded under Section 164 Cr.P.C. wherein she has not supported the case of the prosecution and has disclosed her age as 18 years and also stated that she has married the petitioner and wishes to



accompany to her matrimonial home.

Learned A.P.P. for the State and learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner.

The learned counsel for the informant submits that victim is a minor aged about 17 years.

The learned counsel for the petitioner rebuts the submission of the learned counsel for the informant and submits that the victim in her statement recorded under Section 164 Cr.P.C. disclosed her age as 18 years and even presuming what has been submitted by the learned counsel for the informant to be true without admitting the same then also the victim has reached the age of discretion.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection



with Matiyariya P.S. Case No. 39 of 2022 subject to the
conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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