

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76246 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Shanni Kumar @ Shanni Singh Son Of Narad Singh Resident Of Mohalla-
Shayampur, Ps- Shyampur, Bhatha, Distt- Sheohar Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Aslam Ansari

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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 instituted for the offence punishable under
Sections 363, 366(A), 376/34 of the Indian Penal Code.

As per allegation in the FIR, 14 years old minor
daughter of the informant was taken away by the petitioner in
connivance with other accused persons for the purpose of
marriage.

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 (Annexure-3) in which she has stated that out of her
own sweet will, she has eloped from her house with the



petitioner and performed marriage at Muzaffarpur. She has not raised any finger against the petitioner for any overt act. She wants to go to her matrimonial home after her statement recording. Age of the daughter of the informant has been accessed as 16 years by the lower court. Petitioner has no criminal antecedent and he is languishing in judicial custody since 24.7.2023.

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 Additional District and Sessions Judge-cum-Special Judge 1st, POCSO Act, Sheohar in connection with Shyampur Bhatha P.S. Case No. 48 of 2023.

(Sunil Kumar Panwar, J)

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