

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74051 of 2023

Arising Out of PS. Case No.-707 Year-2022 Thana- TURKAULIYA District- East
Champaran

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PAWAN CHAUDHARY S/O- BHOLA CHAUDHARY R/O- VILLAGE-
NAGDAHA, P.S.- BANJARIYA, DIST.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate
For the Opposite Party/s : Mr.Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Petitioner apprehends arrest in connection with
Turkauliya (Banjariya) P.S. Case No. 707 of 2022 registered for
the offence under Section 363 of the I.P.C. and under Section 8
of the P.O.C.S.O. Act.

3. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
instant case. It is submitted that the victim in her statement
recorded under Section 164 Cr.P.C. has submitted that she is
major and on her own will she solemnized marriage with the
petitioner according to hindu rights and customs. Further
submission is that petitioner has no criminal antecedent.



4. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, the petitioner, above named is directed to be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, POCSO Act, Motihari, East Champaran, Bihar in connection with Turkauliya (Banjariya) P.S. Case No. 707 of 2022 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

5. This application stands allowed.

(Arvind Srivastava, J)

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