

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3380 of 2023

Arising Out of PS. Case No.-329 Year-2022 Thana- BANKA District- Banka

Bikram Kumar Son Of Putul Kumar Resident Of Village - Ambedkar Nagar,
P.S.- Banka, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Arjun Prasad
For the Opposite Party/s	:	Mr.Amit Kumar Rakesh
For the State	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 9, 10, 11 of the Protection of Child Marriage Act and Sections 4, 8, of the POCSO Act.

As per prosecution case, the allegation against the accused persons is that they tried to perform marriage of their minor girl who is aged about 15 years. It is further alleged that the petitioner abducted her for the purpose of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather he has falsely been implicated in this case. As per statement of the victim recorded



under Section 164 of the Cr.P.C., wherein she has stated that she has already been married to one Rakesh Kumar and she also stated that the petitioner abducted him and kept her for three days in a hut, rather he has not committed any physical misbehave and physical assault with her. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 02.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Banka P.S. Case No. 329 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-Cum-Special Judge POCSO, Banka.

(Sunil Kumar Panwar, J)

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