

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74644 of 2022

Arising Out of PS. Case No.-78 Year-2020 Thana- LAURIA District- West Champaran

Jai Prakash Kumar @ Jai Prakash Kumar Soni, Son of Chunnu Sah, R/O
Vill.- Bagahi Baghambarpur, P.S.- Srinagar (Pujaha), Distt.- 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. Yogendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-03-2023 Heard learned counsels for the petitioner and the
State.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 363, 366A/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

As per prosecution case, all the F.I.R. named accused persons including this petitioner kidnapped sister of the informant for the purpose of marriage.

Learned counsel appearing for the petitioner submits that the F.I.R. has been lodged after inordinate delay of 26 days without any explanation for the same. It is next submitted that petitioner and victim were having a love affair and later they got married. Victim has also given birth to a male child out of this



wedlock who is presently aged about 14 months. Petitioner claims clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 7th Additional District & Sessions Judge-cum-Special Judge (POCSO), Bettiah, West Champaran in Lauria P. S. Case No. 78 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition that *one of the bailors would be the victim/wife of the petitioner.*

(Prabhat Kumar Singh, J)

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