

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5174 of 2023

Arising Out of PS. Case No.-765 Year-2021 Thana- SITAMARHI District- Sitamarhi

BARUN KUMAR S/O RAMJI RAI Resident of village- Husaina, P.S.- and District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 363, 366(A)/34 of the Indian Penal Code.

As per allegation in the FIR, minor daughter abed about 16 years enticed away by the petitioner for marriage purpose.

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. in which she has stated that out of her own sweet will, she has eloped from her house and performed marriage



with the petitioner. She has not raised any finger against the petitioner for any offence. Presently she is living in her matrimonial home. At the alleged date of occurrence, victim was major, which appears from her birth certificate annexed as Annexure-2 to this petition. Petitioner has no criminal antecedent and languishing in judicial custody since 15.10.2022.

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 Judge VI-cum-Special Judge (POCSO Act) Sitamarhi in connection with Sitamarhi P.S. Case No. 765 of 2021.

(Sunil Kumar Panwar, J)

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