

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4198 of 2024

Arising Out of PS. Case No.-369 Year-2023 Thana- PAHARPUR District- East Champaran

Harikishore Kumar Son of Bhikhar Mahto Resident of village - Naya Gawa
(Naya Gaon), Bhutahan, P.S.- Paharpur, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 366-A, 379, 120-B, 504, 34 of the Indian Penal Code and Section 8 of POCSO Act.

3. Learned counsel for the petitioner submits that nobody has kidnapped the victim (sister of informant). The victim, in her statement recorded under Section 164 Cr.P.C., has categorically stated that she herself left the house with petitioner and went to Delhi by train and thereafter, solemnized marriage with him on 04.09.2023 in a temple. She has further stated that she had love affairs with this petitioner for the last two years. Petitioner has got clean antecedent.

4. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.



5. In view of statement of the victim recorded under Section 164 Cr.P.C., the prayer for anticipatory bail of petitioner is allowed. In the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned 6th Additional Sessions Judge-cum-Special Judge POCSO, Motihari at East Champaran in connection with Paharpur P.S. Case No. 369 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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