

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7077 of 2024

Arising Out of PS. Case No.-96 Year-2023 Thana- PIPRA District- Supaul

Gajendra Sada @ Gajain Sada S/O Lalkun Sada @ Lalkan Sada R/O Village-
Hatwaria, Ward No. 10, P.S- Pipra, Distt.- Supaul.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. SHANTI DEVI W/O RAJKUMAR YADAV R/O VILLAGE- HATWARIA,
WARD NO. 13, P.S- PIPRA, DISTT.- SUPAUL.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Murari Narain Chaudhary, Adv.
For the informant	:	Mr. Kuldeep Kumar, Adv.
		Mr. Santosh Kumar, Adv.
For the Opposite Party/s :		Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 08-07-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Pipra P.S. Case No. 96 of 2023/ POCSO Case No. 69 of 2023 dated 30.03.2023 registered for the offences punishable u/ss 363, 366A, 376(3) read with Section 34 of the Indian Penal Code and u/s 4 and 6 of the POCSO Act and u/ss 9 and 10 of the Prohibition and Child Marriage Act.

3. As per the prosecution case, the accused persons are alleged to have kidnapped the minor daughter of the informant for



the purpose of marriage with the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was love affair between the victim and the petitioner. The victim in her statement recorded under Section 161 of Cr.P.C. has stated that she has solemnized marriage with the petitioner with her own sweet will. As per the medical report of the victim, the doctor has assessed the age of the victim as 15 to 17 years and there is no sign of sexual assault on the body of the victim girl. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.05.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with Pipra P.S. Case No. 96 of 2023/ POCSO Case No. 69 of 2023 with the condition :-



(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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