

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13695 of 2024

Arising Out of PS. Case No.-661 Year-2023 Thana- BAGHA District- West Champaran

Vijay Kumar @ Vijay Kumar Pandey Son of late Yamuna Pandit Resident of-
ward no. 31, Ratanmala, P.S.-Bagaha, Distt.-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Umesh Kumar Gupta, Adv
For the Opposite Party/s :	Mr.Surendra Prasad Singh, APP
For informant :	Mr. Ram Kishun Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-04-2024 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Bagha PS Case no. 661 of 2023 registered under sections 363, 366A and 34 of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the informant states that the petitioner kidnapped her minor daughter for the purpose of marriage.

4. Learned counsel appearing for the petitioner submits that the daughter of the informant is not a minor. She went with the petitioner of her own volition. On return, her statement was recorded under section 164 CrPC wherein she



stated that she was married to a persons who used to assault her. She returned to her parents' place and thereafter got in touch with the petitioner whom she used to like from before her marriage. She went with the petitioner out of her own volition. The petitioner is in custody since 11.11.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that besides being named in the FIR, the petitioner also has got criminal antecedent.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. together with the contents of the statement of the victim made under section 164 CrPC wherein she has stated about her previous marriage and also going with the petitioner out of her own volition together with the petitioner having remained in custody for over 5 months since 11.11.2023 and charge-sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Bagha PS Case no. 661 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge,-



VII-cum-Special Judge (POCSO), West Champaran, Bettiah.

(Partha Sarthy, J)

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