

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14386 of 2024

Arising Out of PS. Case No.-213 Year-2020 Thana- THARTHARI District- Nalanda

Dina Nath Kumar Son of Ram Dahin Prasad @ Dahin Prasad Resident of
Village- Sardar Bigha, Police Station- Chiksaura, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 15-05-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

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

3. It is alleged by the informant that the petitioner along with co-accused persons abducted his daughter when she went to market.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The victim girl has been recovered who stated in her statement recorded u/s 164 of the Cr.P.C. that she was sold to co-accused Nitish Kumar who committed rape with her. The victim girl has not named the



petitioner in her statement. It is also submitted vide para-2 &3 of the supplementary affidavit that the petitioner solemnized marriage with the informant's daughter(victim) and are leading to happily conjugal life. Both parties have also settled the dispute after lodging the FIR in support of which, compromise petition has been annexed as Annexure P/3. The petitioner has got no criminal antecedent and languishing in judicial custody since 20.12.2023.

5. On dated 2.5.2024 the victim along with her father was appeared before this Court through learned counsel for the informant and stated that the victim is presently residing in the house of petitioner and she blesses with a child.

6. Learned counsel for the informant asserted the fact regarding marriage of the victim with the petitioner.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with POCSO Case No. 57 of 2022 arising out of Tharthari P.S. Case No. 213 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned VII



Additional Sessions Judge-Cum-Special Judge POCSO,
Nalanda at Bihar Sharif.

(Sunil Kumar Panwar, J)

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