

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12296 of 2024

Arising Out of PS. Case No.-265 Year-2022 Thana- PAHARPUR District- East Champaran

VIKASH KUMAR S/O RAMAYODHYA PASWAN R/O VILLAGE-
SATHA DHANI TOLA, P.S- PAHARPUR, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 14-03-2024 1. Heard Mr. Kundan Rathore, learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Paharpur P.S. Case No. 265 of 2022 dated 16.07.2022 registered under Sections 363, 366(A), 504, 506 / 34 of the I.P.C. later on Section 8/10 of the POCSO Act added.

3. As per the First Information Report the petitioner with the help of other co-accused allegedly kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the allegation made in the F.I.R. is not correct and the petitioner has



falsely been implicated. There was love relationship between the petitioner and victim girl and the statement of the victim girl was recorded under Section 164 Cr.P.C. in which she has stated that she went with the petitioner on her own free will and has performed marriage in a temple. Producing photo copy of the birth certificate, learned counsel submits that age of the victim as on the date of occurrence was about 19 years. Doctor has also examined the victim girl and has assessed her age between 17 ½ – 18 ½ years.

5. Regard being had to the submission made by learned counsel for the petitioner and the considering the fact that the victim girl in her statement recorded under Section 164 Cr.P.C. has stated that she on her own free will went with the petitioner and performed marriage and the victim appears to be major as on the date of occurrence, accordingly, I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Motihari / concerned court in connection with Paharpur



P.S. Case No. 265 of 2022 subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

praful/-

(Anil Kumar Sinha, J)

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