

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14636 of 2024

Arising Out of PS. Case No.-530 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Manoranjana Choudhary @ Krishna Kumar son of Ashok Choudhary Village-
Babu Ka Dera PS- Dokti Dist- Balia (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ramashish Kumar son of Late Shivji Ram R/o- Chhota Kalyanpur PS-
Udwant Nagar Dist- Bhojpur, Ara

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 14-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Udwant Nagar P.S. Case no.530 of 2021 registered under sections 366A and 34 of the Indian Penal Code in which chargesheet has been submitted under sections 366A and 376 of the Indian Penal Code and section 4 of the POCSO Act.

3. As per the prosecution case, the informant states that his 18 year old college going daughter, who went to the college, did not return. On search, it transpired that she had been taken away by one Avinash Kumar and his friend. The informant apprehends some untoward incident may take place.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The daughter



of the informant, who is a major, went with the petitioner out of her own free will. Referring to the contents of the statement under section 164 Cr.P.C. of the informant's daughter, which finds mention in the order of the learned trial Court, it is submitted that she has categorically stated therein that she went with the petitioner on her own, married him and are living as husband and wife. The petitioner is in custody since 25.12.2023.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the daughter of the informant having returned, the contents of her statement under section 164 Cr.P.C. which finds mention in the order of the learned trial Court together with the petitioner having remained in custody since 25.12.2023, the Court directs the petitioner to be enlarged on bail in connection with Udwant Nagar P.S. Case no.530 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge VIII-cum-Special Judge, POCSO Act, Bhojpur, Ara.

(Partha Sarthy, J)

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