

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14657 of 2024

Arising Out of PS. Case No.-37 Year-2023 Thana- SIKTA District- West Champaran

MURAD ALAM, S/O NATHUNI MIYAN, R/O VILLAGE- ISLAMPUR,
WARD NO. 8, P.S- RAXAUL, DISTRICT- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate Mr. Rahul Kumar, Advocate Mr. Mithilesh Kumar , Advocate
For the Opposite Party/s :		Mr. Awadhesh Kumar Singh, 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 Sikta P.S. Case no. 37 of 2023 registered under sections 363 and 366A of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the informant states that her 15 year old minor daughter was kidnapped by the petitioner for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The daughter of the informant returned and her statement was recorded under section 164 of the Cr.P.C wherein she has disclosed her age to be 18 years and she has categorically stated therein that she went with the petitioner out of her own free will and has



performed Court marriage with him. She wants to live with him.
A certified copy of the statement recorded under section 164 of the Cr.P.C. has been brought on record as Annexure-2 to the petition. The petitioner has no criminal antecedent and is in custody since 17.5.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the contents of the statement of the daughter of the informant under section 164 Cr.P.C. together with the petitioner having remained in custody for the more than 9 months since 17.5.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Sikta P.S. Case no. 37 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 the learned Additional District and Sessions Judge-VII-cum-Special Judge POCSO, Bettiah, West Champaran.

(Partha Sarthy, J)

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