

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17493 of 2024

Arising Out of PS. Case No.-156 Year-2021 Thana- MOUZA HIDPUR District- Bhagalpur

Sittu Kumar, Son Of Umesh Mandal Resident Of Village-Samraspur, Kohra,
P.S.-Lodipur, District-Bhagalpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanka Singh

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 363 and 366A of the I.P.C. and Sections 8 and 12
of the POCSO Act.

3. The learned counsel for the petitioner submits
that the petitioner is a person with clean antecedent and has
been falsely implicated in the instant case by the informant,
who is mother of the victim, with an allegation that her
minor daughter aged about 14 years was kidnapped.

4. The learned counsel for the petitioner next



draws the attention of the Court to Annexure-2 to the anticipatory bail application to submit that from perusal of the birth certificate issued by the Registrar, Birth and Death, Gram Panchayat, Bishunpur Jichho, it would manifest that the same records the date of birth of the victim as 11.01.2003 and the occurrence is alleged to have taken place on 17.06.2021, as such, the victim on the date of occurrence was a major. The learned counsel further relies on Annexure-3 to the anticipatory bail application i.e. the marriage certificate issued by Dhananjay Kumar Rao, Marriage Officer, Patna certifying the marriage of the petitioner with the victim Tulsi Kumari. It is thus submitted that had the victim been a minor, then the marriage certificate would not have been issued.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum



of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VI-cum- Special POCSO Judge, Bhagalpur in connection with Mojahidpur (Babarganj) P. S. Case No.156 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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