

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18678 of 2024

Arising Out of PS. Case No.-270 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

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Anirudh Kumar @ Anirudh Sahani S/o Indradeo Sahani Resident of Village
Mathiya Madhubani PS Motihari Muffasil, Distt. - East Champaran
(Motihari)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sona Mati Devi W/o Rajindra Paswan @ Rajendra Paswan R/o vill -
Loknathpur, P.s. - Motihari Muffasil, Distt. - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Sadanand Paswan, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Muffasil P.S. Case No. 270 of 2022 instituted for the offences
under Sections 363, 365, 34 of the Indian Penal Code and
Section 8 of the POCSO Act and added Sections 3(i)(r)(s), 3(2)
(va) of the SC/ST (POA) Act.

3. As per prosecution case, the accused persons
including the petitioner entered into the house of the Informant
and kidnapped his minor daughter of about 14 years of age and
ran away in Bolero vehicle. It is further alleged they also used



caste based abuses against him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He has further stated that the date of occurrence was 12.04.2022 but, the FIR was lodged on 15.04.2022 and there is no explanation for such delay which falsifies the prosecution case. The victim girl has been recovered who in her statement under Section 164 Cr.P.C. has stated that she had come to the house of the petitioner after leaving her parental house. She has also stated that she had married with Anirudh (petitioner) in a temple and now she has a child. He further states that the case has been compromised between the parties outside the court. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 20.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Today, the victim girl with her child has appeared before this Court, in person, and has submitted that she has solemnized marriage with the petitioner in the temple and now has also a child and has no objection if the petitioner is granted



bail by this Court.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the statement of the victim girl, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Muffasil P.S. Case No. 270 of 2022 .

(Rudra Prakash Mishra, J)

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