

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25533 of 2024

Arising Out of PS. Case No.-79 Year-2022 Thana- SAKATPUR District- Darbhanga

Bhajan Saday @ Bhojan Saday @ Bhajan Kumar, Male, aged about 22 years,
Son of Late Vipin Saday @ Late Bipat Saday, Resident of Village- Kathara,
P.S.- Sakatpur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offence under Sections 363 and 366(A)/34 of the Indian Penal
Code.

3. As per the prosecution case, it is a case of kid-
napping of the daughter of the informant.

4. Learned counsel for the petitioner has sub-
mitted that petitioner has falsely been implicated in this case due
to dirty village politics. He next submits that petitioner has got
clean antecedent as stated in para-3 of the petitioner and he is in
custody since 19.10.2022.

5. Learned APP appearing for the State, op-
poses the prayer for bail of the petitioner.

6. On perusal of the first information and im-
pugned order dated 23.12.2022, it appears that on the basis of



written report of the informant, FIR was registered for an offence under Sections 363 and 366A/34 of the IPC against five named accused persons including the present petitioner and during investigation police submitted chargesheet under Sections 363 and 366A of the IPC and Section 8 of the POCSO Act. It also appears from perusal of the FIR, informant-cum-mother of the victim has stated that the petitioner took the victim girl to Guwahati and solemnized marriage with her in the court and the victim girl in her statement under Section 164 of the Cr.P.C has stated that she voluntarily left her house and went to Guwahai with the petitioner and solemnized marriage with him as stated in the impugned order.

7. Considering the facts and circumstances of the case, as also the period of custody of the petitioner, let the petitioner, above named, be directed to be released on bail in connection with Sakatpur P.S. Case No.79 of 2022 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO Act), Darbhanga.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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