

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29684 of 2024

Arising Out of PS. Case No.-174 Year-2022 Thana- LAURIA District- West Champaran

Taj @ Taj Kumar S/O Rup Narayan Rai @ Rup Narayan Yadav Resident of
Village- Dhermoha, P.S- Pipra Kothi, Distt - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mausami Devi , W/o Gauri Shankar Malakar, Resident of village -Sirkahiya colony, P.S. -Lauriya, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, APP

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

ORAL ORDER

3 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Lauriya
P.S. Case No. 174 of 2022 instituted for the offences under
Sections 363, 366A, 34 of the Indian Penal Code and Section 8
of the POCSO Act.

3. Prosecution case, in short, is that the petitioner
along with other co-accused persons kidnapped the daughter of
the informant for the purpose of marriage.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that petitioner has not



committed any offence as alleged in the FIR. Learned counsel further submitted that there was love affair between the victim and the petitioner. Learned counsel further submitted that victim had left her house on her own sweet will. Learned counsel further submitted that victim has solemnized marriage with the petitioner and is living in her matrimonial house. Learned counsel further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has not supported the contents of the F.I.R. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.01.2024 and has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case and the fact that victim has already solemnized marriage with the petitioner on her own sweet will as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Lauriya P.S. Case



No. 174 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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