

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30407 of 2024

Arising Out of PS. Case No.-464 Year-2022 Thana- BELHAR District- Banka

Bhola Saw @ Bhola Kumar S/o Sanjay Sah R/o Village- Shadipur, P.S.-
Kotwali, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Belhar P.S Case no. 464
of 2022 registered under sections 366A and 34 of the Indian
Penal Code and sections 4 and 8 of the POCSO Act.

3. As per the prosecution case, the informant states
that the accused persons including the petitioner herein
kidnapped his minor daughter 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 who is a major went with the petitioner out of her own free will, married the petitioner and also have a child out of the said wedlock. Learned counsel for the petitioner refers to the statement of the alleged victim recorded under section 164 Cr.P.C, certified copy of which has been brought on record as Annexure- 2 to the petition to submit that while the victim states her age to be 24 years herein, the Court has recorded her age to be 22 years. In either case she is a major and her statement therein is that she went out of her own free will and married the petitioner. The petitioner is in custody since 28.11.2023.

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 F.I.R, the contents of the statement of the victim recorded under section 164 Cr.P.C, Annexure- 2 to the petition wherein she is said to be a major together with the petitioner having remained in custody since 28.11.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Belhar P.S Case no. 464 of 2022, 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-VI-cum-Special Judge,
POCSO Act, Banka.

(Partha Sarthy, J)

Harsh/-

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