

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28336 of 2024

Arising Out of PS. Case No.-188 Year-2022 Thana- BARHARIA District- Siwan

Alok Kumar Son Of Suresh Singh @ Chandragupt Sinigh Resident Of Village
- Badarzami, P.S. - Barharia, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Ms. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-05-2024 Permission is granted to learned counsel for the

petitioner to make necessary correction in the third paragraph to

the bail application.

2. Heard learned counsel for the petitioner and learned
counsel for the State.

3. The petitioner apprehends his arrest in connection with
Barharia P.S. Case No. 188 of 2022 registered under Sections
363, 366 (A) of the Indian Penal Code, Sections 3(i)(r)(s), 3(2)
(v)(a) of SC/ST Act and Sections 8/17 of the POCSO Act.

4. It is alleged that petitioner has kidnapped the minor
daughter of informant and when the informant went to the house
of the petitioner, petitioner abused and threatened him.

5. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been



implicated in the present case due to ulterior motive. Further submission is that the victim girl in her statement recorded under Section 164 Cr. P.C. has denied the *factum* of her kidnapping and has clearly stated that she voluntarily left her house and went to Delhi and solemnized marriage with the petitioner. It is next submitted that the medical board has assessed the age of the victim is 17 to 19 years.

6. Having considered the statement of the victim girl recorded under Section 164 Cr. P.C., let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum-Special Judge, POCSO, Siwan in connection with Barharia P.S. Case No. 188 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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