

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35151 of 2024

Arising Out of PS. Case No.-185 Year-2023 Thana- DANIYAWAN District- Patna

Sudhir Kumar Son of Late Hareram Ray R/o Village-Bhagwanpur Desua,
P.S.- Ujyarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Daniyawan P.S. Case No. 185 of 2023, Special Case No. (POCSO) No. 35 of 2024 dated 21.07.2023 registered for the offences punishable u/ss 366A of the Indian Penal Code and later on chargesheet has been submitted under Section 363, 366A and 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per the prosecution case, unknown miscreants are alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in this case during the course of investigation. The victim in her statement recorded under Section 161 and 164 of the Cr.P.C. has not supported the prosecution case but has stated that she was in love with the petitioner and also performed marriage. It is further submitted that a Compromise Petition dated 12.03.2024 has been filed by the informant, the victim and the petitioner stating therein that the petitioner has not taken her away rather she performed inter caste marriage with her own free will and presently residing in her matrimonial home and they do not want to pursue the case. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the victim was recovered from the house of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court



concerned, Patna in connection with Daniyawan P.S. Case No.
185 of 2023, Special Case (POCSO) No. 35 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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