

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31982 of 2024

Arising Out of PS. Case No.-524 Year-2023 Thana- GRIYAK District- Nalanda

Sintu Kumar Tanti Son of Musahari Tanti @ Musahari Mahto Resident of village - Barith, P.S.- Katrisarai, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Pravesh Prasad S/o Nandu Mahto R/o vill - Barith, P.s. - Katrisarai, Distt. - Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pramod Kumar Sinha, Advocate
For the Opposite Party/s :	Mr. Tapeswar Sharma, APP
For the Informant :	Mr. Saurabh Kumar, Advocate
	Mr. Subhash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

5 05-08-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner is in custody in custody in a case registered for the offence punishable under Sections 366(A)/34 of the Indian Penal Code and Sections 8 and 12 of the POCSO Act.

3. As per allegation in the FIR, petitioner kidnapped the daughter of the informant on the pretext of marriage.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that on perusal of the statement of the victim recorded under Sections 161 and 164 of the Cr.P.C., it appears that there is love affairs between the petitioner and the victim and they



have performed the marriage in a temple on 27.11.2023 and the victim is a major girl. In her statement recorded under Section 164 of the Cr.P.C. it appears that the age of the victim is aged about 18 years as mentioned in the 10th Mark sheet and she also stated that the petitioner has no role for the alleged offence and no complaint against her husband (accused/petitioner) and petitioner has got no criminal antecedent as stated in para-3 of the petition and he is in custody since 17.12.2023.

5. Learned APP for the State as well as learned counsel for the Informant opposes the prayer for bail.

6. Considering the aforesaid facts as well as period of custody and there is no specific allegation against the petitioner as mentioned in the statement under Sections 164 and 161 of the Cr.P.C., let the above named petitioner be released on bail on furnishing bail bond of Rs.10.000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nalanda in connection with Giriyak (Katrisarai) P.S. Case No. 524 of 2023.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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