

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38638 of 2024**

Arising Out of PS. Case No.-539 Year-2023 Thana- SUGAULI District- East Champaran

Shivnath Chaudhari @ Somnath Kumar Son of Chhotelal Sahani Resident of  
Village - Hata Baksa, P.S. - Sugauli, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                    |   |                               |
|--------------------|---|-------------------------------|
| For the Petitioner | : | Mr. Patanjali Rishi, Advocate |
| For the State      | : | Ms. Rita Verma, APP           |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      29-07-2024                      Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 363,366A, 323, 325 and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per prosecution case, this petitioner is alleged to have kidnapped the minor daughter of informant for the purpose of marriage.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner has falsely been implicated in this case. As a matter of fact, the victim in her statement recorded under Section 164 Cr.P.C. has denied the prosecution case and categorically stated that she herself left her parental house and solemnized marriage with this petitioner. The victim has stated her age as 20 years. Petitioner claims clean



antecedents.

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

6. Considering the aforesaid facts and circumstances, statement of the victim recorded under Section 164 of Cr.P.C. and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged 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 Additional District and Sessions Judge VI-cum-Special Judge, POCSO Act, East Champaran, in connection with Sugauli P.S. Case No. 539 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

shashank/-

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