

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34791 of 2024

Arising Out of PS. Case No.-117 Year-2024 Thana- BUDDHACOLONY District- Patna

Akhilesh Kumar Son Of Kameshwar Prasad Resident Of Village -
Gyanibigha, P.S. - Kako, District - Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabita Devi Wife Of Ashok Kumar Resident Of Village - Gyanibigha, P.O. -
Nonahi, P.S. - Kako, District - Patna, At Present New Police Line Lodipur,
P.S. - Budha Colony, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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

ORAL ORDER

2 15-05-2024 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 Spl. (POCSO) Case No. 88/2024 arising out of Budha Colony P.S. Case No. 117/2024. dated 28.02.2024 registered for the offence punishable u/ss 363 and 366A of the Indian Penal Code but charge sheet has been submitted under Sections 366A of the I.P.C. and Section 12 of the POCSO Act.

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

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is a teacher. There was love affair between both the parties. The victim in her statement recorded u/s 164 of the Cr.P.C. has stated that she has solemnized marriage with the petitioner with her own will. Learned counsel further submitted that the victim was not forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition 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 Spl. (POCSO) Case No. 88/2024 arising out of Budha Coloney P.S. Case No. 117/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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