

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35448 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- BAIRIYA District- West Champaran

Akash Kumar @ Aakash Kumar Son Of Chhotelal Yadav Village- Laukariya
Ward No. 01, Ps- Bairiya, Dist- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shashank Shekhar, Advocate

For the Opposite Party : Mr. Nagendra Prasad, A.P.P.

Mr. S. Kashyap, Deepak Kumar, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 30-09-2024 Heard learned counsel for the petitioner, the State and the informant.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 366A/34 of the Indian Penal Code and section 12 of the POCSO Act.

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

4. Learned counsel appearing for the petitioner submits that the victim in her 164 Cr.P.C. statement has not supported the prosecution case, rather she has stated that of her own volition, she left the house and went to Nepal with the petitioner and performed marriage with him in the Temple. Court has assessed her age to be 21 years. Petitioner claims clean antecedent.

5. Learned counsel for the State as well as the informant oppose the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the



petitioner, mentioned above, 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 Additional Sessions Judge VII cum Special Judge, POCSO Act, Bettiah, West Champaran in Bairiya Police Station Case No. 8/2024, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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