

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35530 of 2024

Arising Out of PS. Case No.-33 Year-2024 Thana- CHANDAN District- Banka

Ashish Kumar S/o Narayan Yadav R/o vill - Mohandih, P.S. - Chandan
(Anandpur), Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is in custody in connection with
Chandan (Anandpur) P.S Case No. 33 of 2024 registered for
the offences punishable under Sections 366(A) of the Indian
Penal Code and Section 4 of the POCSO Act.

3. As per prosecution case, it is a case of
abduction of the minor daughter of the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is
further submitted that petitioner has got no criminal
antecedent as stated in para 3 of the bail petition. It is also
submitted that petitioner is in judicial custody since



26.02.2024.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and statement under 164 Cr.P.C it appears that in her statement under Section 164 Cr.P.C victim has clearly stated that she fled away with the petitioner according to her own sweet will and solemnized marriage with the petitioner. Moreover, the age of the victim was assessed 17 to 19 years in her medical report. Considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-6-cum Spl. Judge, POCSO, Banka in connection with Chandan (Anandpur) P.S Case No. 33 of 2024.

(Ramesh Chand Malviya, J)

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