

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38383 of 2024

Arising Out of PS. Case No.-230 Year-2023 Thana- KALYANPUR District- East Champaran

Rahul Kumar, S/O Late Ram Chandra Ram, R/O Village Barkurwa, P.S. Pipra
Kothi, Distt-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Kalyanpur P.S. Case No. 230 of 2023 registered for the offences punishable under Sections 363, 366 (A), 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per prosecution case, the petitioner and other accused persons have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The victim in her statement recorded under Section 164 Cr.P.C. stated that the petitioner and victim both were in love affairs and she voluntarily left her house and solemnized



marriage in a temple. He further submits that the Medical Board has determined the age of the victim between 18 to 19 years. There is no case made out against the petitioner. He further submits that petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and trial of this case.

5. Learned APP opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Kalyanpur P.S. Case No. 230 of 2023, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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