

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42672 of 2024**

Arising Out of PS. Case No.-985 Year-2023 Thana- MAJHAULIA District- West Champaran

Gautam Kumar Son Of Upendra Singh Village- Chaila Bhar, Ward No. 10,  
P.S.- Majhauliya, Distt.-WEST Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava, Adv

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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

ORAL ORDER

2      25-06-2024                      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 Majhauliya P.S. Case No. 985 of 2023 dated 14.11.2023 registered for the offences punishable u/s 366(A), 376 of the Indian Penal Code and read with Section 4/6 POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant by enticing her 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. As per the Statement of the victim recorded under



Section 161 of the Code of Criminal Procedure it is stated that the victim girl solemnized marriage with the petitioner on 14.11.2023 at Durga Mandir, Bettiah thereafter they went to Delhi and started leading their conjugal life hence, there is no case of POCSO has been made. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.04.2024.

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 allegation levelled against the petitioner and 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, West Champaran, in connection with Majhauilya P.S. Case No. 985 of 2023.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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