

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45828 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- SRINAGAR District- West Champaran

Matuk Chaudhary @ Govind Kumar S/o Sri Sipahi Chaudhary R/o vill -
Bagahi Baghambarpur, P.S. - Srinagar, Distt. - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amin Mian S/o Late Jalim Mian R/o vill - Bagahi Baghambarpur, P.S. -
Srinagar, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 366A/34 of the
Indian Penal Code and Section 8 of the POCSO Act.

3. The petitioner in association of his family members is
said to have enticed away the minor daughter of the informant.

4. It is submitted by learned counsel for the petitioner that
no such occurrence as alleged ever took place. He has been
falsely implicated in this case. It is further submitted that there
is inordinate delay of eight days in lodging the F.I.R. without
assigning any plausible and convincing reason for the said
delay, which creates serious doubt about the prosecution case.



It is further submitted that the victim girl in her statement recorded under Section 164 Cr.P.C. has denied her kidnapping and has stated that her parents had sold her to someone, who was about to take her to Bhopal and since she was in courtship with the petitioner, she eloped out of her sweet will and solemnized marriage with the petitioner. She has expressed her willingness to live at her Sasural. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case and the statement of the victim recorded under Section 164 Cr.P.C., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Srinagar P.S. Case No. 149 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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