

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46338 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- JANKINAGAR District- Purnia

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Kundan Kumar, Son Of Baleshwar Mandal, Resident Of Village - Chakmaka,
Ward No. 08, Police Station - Janki Nagar, District - Purnea

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sugendra Mandal, S/o Late Bharat Lal Mandal, R/o Village-Chakmaka,
Ward No. 8, P.S.-Jankinagar, District-Purnia

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is an application for regular bail on behalf of
the petitioner for the offences alleged under Sections 363,
366A/34 of the Indian Penal Code, Section 4 of the POCSO Act
and Section 9 of the Child Marriage Act, registered in
connection with Janki Nagar P.S. Case No.36 of 2024.

3. As per the prosecution case, on the alleged date of
occurrence the informant's minor daughter aged about 14 years
went out from her house to attend the natural call but she did not
return. During course of search, the informant came to know
that petitioner along with other accused persons kidnapped his



daughter. Thereafter, the present case was lodged.

4. At the very outset, the learned counsel for the petitioner has submitted that the victim in her statement recorded u/s 164 of Cr.P.C. did not support the allegation. She has disclosed her age as 19 years. She has also stated that she solemnized marriage with the petitioner. The petitioner has got no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in judicial custody since 15.03.2024.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing the bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Purnea in connection with Janki Nagar P.S. Case No. 36 of 2024, subject to the condition that petitioner shall cooperate in the disposal of trial and make himself available as and when required by the Court.

(Nawneet Kumar Pandey, J)

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