

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45091 of 2024

Arising Out of PS. Case No.-336 Year-2022 Thana- ADAPUR District- East Champaran

Vikesh Kumar @ Vikesh Mukhiya Son of Shivilal Mukhiya Resident of village - Ghorasahan, P.S.- Harpur, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Gokhul Thakur Son of Late Subdar Thakur Resident of village - Ghorasahan, P.S.- Harpur, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 224-07-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Adapur (Harpur) Police Station Case No. 336 of 2022, disclosing offences under Sections 363, 366(A), 34 of the Indian Penal Code and Sections 6, 8 of the POCSO Act.

3. As per the First Information Report, the petitioner along with other co-accused persons kidnapped the minor daughter of the informant aged about sixteen years, for the purpose of selling.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on frivolous story. The daughter of the informant was having love relationship with the petitioner and the victim, in her statement recorded under Section 161 and



164 Cr.P.C., has categorically stated that she had solemnized marriage in a temple with the petitioner.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the statement of the victim recorded under Sections 161 and 164 Cr.P.C., I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge POCSO Act, East Champaran, Motihari, Bihar, in connection with Adapur (Harpur) Police Station Case No. 336 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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