

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64323 of 2024

Arising Out of PS. Case No.-418 Year-2022 Thana- KRITYANAND NAGAR District-
Purnia

Vijay Kumar, Male, aged about 24 years, S/o Sadanand Gupta, Resident of
Parora, PS. - K Nagar, District- Purnea.

... .. Petitioner

Versus

1. The State of Bihar.
2. Vidya Sagar Paswan, S/o- Bhola Paswan, R/o- Parora, Ward No. 12, P.S.- K.
Nagar, Dist.- Purnea.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Md Fazle Karim, Advocate
For the State	:	Mr. Ram Naresh Ray, A.P.P.

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

ORAL ORDER

2 20-11-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with K. Nagar P.S. Case No. 418 of 2022 dated 22.07.2022 registered for the offences punishable under Sections 363, 365, 366A read with Section 34 of the I.P.C. Later on, Section 8 of the POCSO Act and Sections 9 and 10 of the Prohibition of Child Marriage Act were also added.

3. As per the prosecution case, the co-accused Sharwan Kumar, Shivanand Mistri and Geeta Devi are alleged to have kidnapped the minor daughter of the informant. Earlier the accused persons had also threatened the informant and



demanded Rs. 5,00,000/- as rangdari for which warning was given by the Mukhiya Awadh Lal Singh.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner is not named in the F.I.R. His name has come in the present case as the victim girl has stated that she was accompanied by the petitioner. It is further submitted that the victim was recovered and during investigation, she has stated that she voluntarily went with the co-accused Sharawan Kumar @ Ritique Kumar. There was love affair between the victim girl and the co-accused Shrawan Kumar @ Ritique Kumar and they have performed marriage and when the informant came to know about their marriage he wanted to marry her to someone else and to avoid the marriage. The victim girl in her statement recorded under Section 164 of the Cr.P.C., has stated that she was assaulted by the informant and she was to marry with someone else. The victim was not forced to have illicit relationship with any other person by the petitioner. The other co-accused person Sharwan Kumar @ Ritique Kumar has already been granted regular bail by a Bench of this Court vide Cr. Misc. No. 64666 of 2022 under order dated 23.03.2023. The victim has not stated anything against the



petitioner. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge-cum-Special Judge, POCSO, Purnea, in connection with K. Nagar P.S. Case No. 418 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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