

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67114 of 2024

Arising Out of PS. Case No.-69 Year-2023 Thana- DHARHARA District- Munger

Sanish Kumar @ Bund Son of Late Meghnath Mandal Resident of Village
-Adalpur, PS- Dharhara, Distt.- Munger

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Smt. Anita Devi Wife of Upendra Mandal Resident of Village- Adalpur, P.S.-
Dharhara, Distt.- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-10-2024 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Dharahara P.S. Case No. 69 of 2023 dated 03.04.2023 registered
under Sections 147, 148, 149, 323, 366A, 380, 504, 506 of the
I.P.C. and Section 8 of the POCSO Act.

3. As per the complaint, the daughter of the informant /
complainant, aged about 16 years, was kidnapped on 23.10.2022
by the petitioner and other accused persons. It has further been
alleged in the complaint -cum- F.I.R. that the informant /
complainant found golden ornaments, cash etc. were missing
from his house.

4. Learned counsel for the petitioner submits that there was



love relationship between the petitioner and the victim girl and the victim girl is mature enough to take her own decision. Earlier also, she had eloped with the petitioner for which Dharahara P.S. Case No. 169 / 2022 under Sections 366A / 34 of the I.P.C. was lodged. The statement of the victim girl was recorded during the course of investigation and from perusal of the first information report it would be evident that in her statement recorded under Section 161 Cr.P.C. she has admitted that she performed marriage with the petitioner and in the statement under Section 164 Cr.P.C. she has said that she is pregnant also. The victim girl is residing with the petitioner.

5. Regard being had to the submission made by the parties, taking into consideration the statement of the victim girl recorded under Sections 161 & 164 Cr.P.C., I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge - 6 cum Special Judge POCSO Act Munger in connection with Dharahara P.S. Case No. 69 of 2023



subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anil Kumar Sinha, J)

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