

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77759 of 2023**

Arising Out of PS. Case No.-401 Year-2023 Thana- MAJHAULIA District- West Champaran

Gulshan Kumar Son Of Vijay Sahani Resident Of Village - Madhopur, Malahi  
Tola, Ward No.05, P.S. - Majhauriya, District - West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      27-02-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 363, 366A, 506 and 34 of the Indian Penal Code and Sections 8, 12 of the POCSO Act.

3. As per FIR, the informant alleged that the petitioner and co-accused persons abducted her minor daughter for the purpose of marriage.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the basis of suspicion. There is inordinate delay of 17 days in lodging the FIR without given



any cogent reason. As per statement of the victim recorded under Section 164 of the Cr.P.C., wherein she has stated that she was in love with this petitioner and she went with him to Delhi with her own sweet will. Thereafter, they solemnized marriage in a Durga temple situated at Bettiah. It is further submitted the petitioner is languishing in judicial custody since 22.05.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Majhauriya P.S. Case No. 401 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO-cum-ADJ-VI, Bettiah, West Champaran.

**(Sunil Kumar Panwar, J)**

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