

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76580 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- JANDAHA District- Vaishali

Kanhaiya Kumar S/O Manoj Singh @ Manoj Kumar Mahohar Resident Of
Village- Arniya, (Jandaha), P.S- Jandaha, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Indu Devi W/O Kuldeep Singh R/O Village- Arniya, P.S- Jandaha, Distt.-
Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Adv.
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-11-2024 In this case, considering the stand taken by the

learned counsel for the petitioner that the girl is major, has

married the petitioner and resided with the in-laws, notices were

issued upon her.

2. Pursuant thereto, the informant has appeared, both

through the learned counsel as also personally.

3. As per the prosecution story, the informant (Indu

Devi) alleged that the petitioner has kidnapped her daughter and

when informed the petitioner's family, threatened of dire

consequences, as such, the FIR.

4. Learned counsel for the petitioner submits that the

girl is major, they were in a relationship, and only due to



confession, the mother lodged the FIR, the fact remains that she is staying with her in-laws happily and today, is also accompanied by her mother, Indu Devi who is informant in the case.

5. Learned counsel for the informant echoes the submission put forward by learned counsel for the petitioner and submits that both the mother and daughter have patched up and the girl is living with the in-laws happily.

6. Considering the submissions put forward by the parties as also the fact that aforesaid facts that has come to notice, the girl herself has made her appearance today, the Aadhaar Card No. 598156694926 shows that her date of birth is 28.09.2005, the marriage took place on 18.05.2024 and as such, was major on that day, the petitioner is in custody since 18.06.2024 (para 4 of the petition) and case is there, ultimately, he will face the music, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 52 of 2024



subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. A photocopy of the Aadhaar Card of the victim girl has been attached with the file.

(Rajiv Roy, J)

Vijay Singh/-

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