

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.76629 of 2024

Arising Out of PS. Case No.-165 Year-2024 Thana- NAVINAGAR District- Aurangabad

Bittu Kumar Son of Sanjay Chandravansi Resident of Village- Panti, P.S.-
Nabinagar, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Safalta Kumari D/O Vinay Pal Resident of Village- Pokharahi, P.S.-
Nabinagar, District- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 14-11-2024 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 Nabinagar Police Station Case No. 165 of 2024,
disclosing offences under Sections 363 and 366A of the Indian
Penal Code and Sections 8/12 of the POCSO Act.

3. As per the FIR, the minor daughter of the informant
had been kidnapped by the petitioner.

4. Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case due to
the fact that the informant's daughter was having love
relationship with the petitioner which was not to the liking of
the informant. The statement of the victim girl has been
recorded under Section 164 Cr.P.C. in which she has stated that
she was being scolded by her family members due to the
relationship between victim girl and the petitioner and she



voluntarily went with the petitioner and has solemnized marriage in a temple. She has further stated that she is happy with the petitioner. The learned Magistrate has assessed the age of the victim girl as 17 years. The victim girl has refused to undergo the medical test.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the statement of the victim girl recorded under Section 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 Additional District Judge-VI-cum-Special Exclusive Judge (POCSO), Aurangabad, in connection with Nabinagar Police Station Case No. 165 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

HarshPandey/-

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