

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79190 of 2023

Arising Out of PS. Case No.-71 Year-2023 Thana- DHANKUND District- Banka

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SURAJ KUMAR @ SURAJ KUMAR SINGH SON OF LATE SHAMBHU
SINGH R/O VILLAGE- SARUAJORE, P.S.- KATORIA, DIST.- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Adv.

For the Opposite Party/s : Mr.Shantanu Kumar, APP

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

ORAL ORDER

2 23-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in connection with Dhankund P.S. Case No. 71 of 2023 dated 26.06.2023 registered for the offence/s punishable u/ss 366A and 363 of the Indian Penal Code and sections 8 and 12 of the POCSO Act.

4. As per the prosecution case, the petitioner is alleged to have kidnapped the minor sister of the informant for the purpose of the marriage.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The victim in



her statement recorded section 164 of the Cr. P.C. has stated that no one kidnapped her and she went with the petitioner of her own sweet will and solemnized marriage with him. There was love affair between the victim and the petitioner. Learned counsel has further submitted that the victim was not forced to have illicit intercourse with another person. The age of the victim is assessed as 17-19 years. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on 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 court concerned, Banka in connection with Dhankund P.S. Case No. 71 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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