

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82729 of 2023

Arising Out of PS. Case No.-544 Year-2023 Thana- KAHALGAON District- Bhagalpur

Shiv Kumar Son Of Suresh Das @ Suresh Harijan Resident Of Village -
Saidpur, P.S. - Gopalpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 15-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
POCSO Case No. 99 of 2023, arising out of Kahalgaon P.S.
Case No. 544 of 2023 for the offences registered under Sections
366(A), 504, 506, 34 of the Indian Penal Code and Section 8 of
POCSO Act.

3. As per the prosecution case, petitioner has
kidnapped the minor girl of the informant for the purpose of
marriage.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case and he has not committed any offence. Daughter of the
informant voluntarily solemnized marriage with the petitioner



and started residing in his house. The victim in her statement under Section 164 Cr.P.C. admitted that she has voluntarily solemnized marriage with the petitioner. Daughter of the informant is more than 17 years old and aware about the consequences of the marriage. Petitioner has not enticed away the victim as alleged. Petitioner is a young man having no criminal antecedent. He is in custody since 22.07.2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions made on behalf of the parties, facts and circumstances of the case and period of custody, let the petitioner, named above, be enlarged on bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Kahalgaon P.S. Case No. 544 of 2023.

(Sunil Dutta Mishra, J)

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