

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80495 of 2023

Arising Out of PS. Case No.-72 Year-2023 Thana- SANOKHAR District- Bhagalpur

Gunjan Kumar Son Of Upendra Mandal R/O Village- Mahesh Khore, P.S.-
Sanokhar, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The instant application for regular bail has been
filed by the petitioner registered for the offence punishable
under Sections 366A, 504/34 of the Indian Penal Code and
Section 8 of the POCSO Act.

3. As per allegation in the FIR, informant and his
wife went outside for dinner and on returning they found
her daughter, aged about 16 years old, missing from the
house. On search, they came to know that co-accused Amar
Kumar used to come at the house of the petitioner, who has
kidnapped his daughter for the purpose of marriage. For
inquiry, parents of the victim went to the house of co-



accused Amar Kumar where they were being abused and insulted by his family members.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There was love affair between co-accused Amar Kumar and daughter of the informant. On 27.4.2023 statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has stated that accused Amar Kumar and the petitioner have kidnapped her but she has not made allegation of misbehave or sexual assault against them. Victim girl was medically examined and doctor ascertained her age between 17 to 19 years and no sign of rape was found. Petitioner is languishing in judicial custody since 10.10.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



with two sureties of the like amount each to the satisfaction
of the learned Additional District and Sessions Judge-7th,
Exclusive Secial Judge (POCSO) Bhagalpur, Distt.-
Bhagalpur in connection with Sanokhar P.S. Case No. 72 of
2023.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

