

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82068 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- KATIHAR MUFFASIL District- Katihar

Ankit Kumar Chouhan S/O Raj Kumar Chouhan R/O Village- Dalan
Bhatwara, P.S- Muffasil, Distt.- Katihar.

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Satya Narayan Chouhan S/O Late Lal Jee Chouhan R/O Village- Dalan
Bhatwara, P.S- Muffasil, Distt.- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad
For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 363, 366A/34 of the
Indian Penal Code and sections 4 and 17 of the POCSO Act.

3. As per the prosecution case, petitioner and his
family members kidnapped daughter of opposite party no.2.

4. Learned counsel appearing for the petitioner
submits that girl in her 164 Cr.P.C. statement has not supported
the prosecution case. She has stated that she went with the
petitioner to Delhi and married him in temple on 5.11.2023 and
a girl child was also born out of the said wedlock. Medical
Board has assessed her age to be 18 to 19 years at the time of
occurrence. Petitioner claims clean antecedent.



5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VI cum Special Judge, POCSO Act Katihar in Muffasil Police Station Case No. 09 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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