

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85330 of 2023

Arising Out of PS. Case No.-196 Year-2021 Thana- HULASGANJ District- Jehanabad

Harendra Kumar Son Of Mahendra Yadav R/O Village- Kolhapar, P.S.-
Ghosi, Dist.- Jehanabad

... .. Petitioner/S

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Adv.

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code and u/s 8 of POCSO Act.

3. Allegation against the petitioner is that he along with other co-accused persons has kidnapped minor daughter of the informant with intention of marriage.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He further submits that victim solemnized marriage



with the petitioner on her own sweet will. The statement of the victim recorded u/s 164 Cr.P.C. in which she has not supported the prosecution case, doctor found age of the victim is 17½ to 18 years in her medical examination. There is a compromise petition has been filed by the informant. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, victim has already been solemnized marriage with the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Hulasganj P.S. Case No. 196 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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