

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82692 of 2023

Arising Out of PS. Case No.-625 Year-2023 Thana- MADHEPURA District- Madhepura

Amit Kumar, Son Of Dularchand Sharma, Resident Of Villkage- Goth
Bardaha Ward No. 1, P.S. Madhepura District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Madhepura P.S. Case No. 625/2023 lodged on 18.06.2023 under
Sections 363, 366A, 504, 506/34 of the Indian Penal Code and
Section 8 of the POCSO Act.

3. As per the prosecution case, the FIR has been lodged
against six named accused persons, including the present petitioner
with an allegation of kidnapping the minor daughter of the
informant with a view to marry.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is in custody since 20.09.2023 having no criminal
antecedent and the chargesheet has already been filed in this case.
The victim herself appeared before the police and got her



statement recorded under Section 161 of the Cr. P.C. wherein she has stated that she went in the company of the petitioner with her own sweet will and solemnized marriage with her. The victim repeated the same version in the statement recorded under Section 164 of the Code of Criminal Procedure.

5. Learned counsel for the State opposes the prayer for bail but fairly submits that in 164 Cr.P.C statement, the victim has stated that she herself went with the petitioner to Haridwar and they entered into marriage and started residing together as husband and wife. Subsequently, when she received knowledge that a criminal case had been lodged against the petitioner then she contacted her father and her father started threatening. The victim also disclosed her will to live with the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum- Special Judge, POCSO, Act, Madhepura, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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