

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6584 of 2024

Arising Out of PS. Case No.-15 Year-2020 Thana- DARPA District- East Champaran

Ranjan Alias Rajan Giri SON OF RAMESH GIRI RESIDENT OF VILLAGE
- LODHIYA PS- DARPA, DIST.- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 01-03-2024 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner is permitted to make necessary correction in paragraph 1 of the application in course of the day.

2. The petitioner seeks bail in Darpa P.S. case No. 15 of 2020 instituted for the offences under Sections 366(A)/34 of the Indian Penal Code and Section 8 of POCSO Act.

3. Prosecution allegation, in short, is that the accused persons including the petitioner kidnapped the minor daughter of the informant for the purpose of marriage.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case. On recovery, the statement of the victim has been recorded under Section 164 Cr.P.C. in which she stated that she has solemnized her marriage with the petitioner and since then, she is living as wife of the petitioner. Learned counsel for the petitioner has further placed reliance on cases of the Hon'ble Supreme Court since reported in ***2018 SCC Online SC-3100 (Dr. Dhruvaram Murlidhar Sonar versus The State of Maharastra & Ors)*** and ***(2019) 9 SCC 608 (Pramod Suryabhan Pawar vs. The State of Maharashtra and Ors.)***.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. The victim is present in Court. On the query of the Court, the victim has replied that she has already solemnized marriage with the petitioner and she is having a child who is 20 months old.

7. Considering the aforesaid facts and circumstances of the case, the period of custody undergone



by the petitioner and the fact that victim has already solemnized marriage with the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Darpa P.S. case No. 15 of 2020.

(Rudra Prakash Mishra, J)

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