

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1321 of 2024**

Arising Out of PS. Case No.-573 Year-2022 Thana- HARSIDHI District- East Champaran

SHANUL ALAM @ AHSANUL ALAM, S/O MANJUR MIYAN, R/O  
VILLAGE- SONVARSHA, P.S- HARSIDHI, DISTRICT- EAST  
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      21-03-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Harsidhi P.S. Case no. 573 of 2022 registered under sections 366A and 34 of the Indian Penal Code and sections 8, 10 and 12 of the POCSO Act.

3. As per the prosecution case, the informant states that he saw the four named accused persons including the petitioner herein moving about near his house late in the night and the next morning he found his 16 years old daughter missing. As such the FIR.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The daughter of the informant returned and her statement was recorded under section 164 of the Cr.P.C. wherein she has stated about going



with the petitioner voluntarily and having married him. It is further submitted that the age of the informant's daughter has been medically determined to be between 18 to 20 years. The petitioner is in custody since 3.10.2023 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the submissions made, the contents of the medical report as has come in the case diary estimating the victim's age to be 18 to 20 years, the contents of the statement under section 164 of the Cr.P.C. together with the petitioner having remained in custody since 3.10.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Harsidhi P.S. Case no. 573 of 2022, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI<sup>th</sup>-cum-Special Judge, POCSO Act, East Champaran, Motihari.

**(Partha Sarthy, J)**

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