

Arising Out of PS. Case No.-41 Year-2023 Thana- PANJWARA District- Banka

... .. Petitioner/s

1. The State of Bihar
2. Sumitra Kumari Daughter of Anil Kumar Sah Resident of Village - Panjwara, P.S. - Panjwara, District - Banka

... .. Opposite Party/s

For the Petitioner/s : Mr. N.K Agrawal, Sr. Advocate
Mr. Vikram Singh, Advocate
For the Opposite Party/s : Ms. Anita Kumari, APP

5 09-06-2025 1. Heard learned Senior counsel for the petitioner and learned APP for the State. No one appears for the opposite party no.2.

2. The petitioner has preferred this application for grant of regular bail in connection with Panjwara P.S Case no.41 of 2023, registered under section 366A of the Indian Penal Code.

3. As per the prosecution case, the informant states that the petitioner took away his minor daughter for the purpose of marriage.



4. Learned Senior counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case. The daughter of the informant went with the petitioner out of her own volition. She returned and her statement was recorded under section 164 Cr.P.C wherein she has described her age to be 17½ years and has categorically stated therein that she was in love with the petitioner and has married him willingly. Her parents wanted to marry her elsewhere and it is for this reason that she eloped with the petitioner. The petitioner is in custody since 28.11.2024 and has no criminal antecedent.

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

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, the material that has transpired in course of investigation, especially the statement of the daughter of the informant recorded under section 164 Cr.P.C together with the petitioner having remained in custody since 28.11.2024, not having any criminal antecedent and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Panjwara P.S Case no.41 of 2023 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-cum-Special Judge
(POCSO), Banka.

(Partha Sarthy, J)

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