

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17113 of 2025

Arising Out of PS. Case No.-337 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Tufani Mushar Son of Shri Baijnath Mushar Resident of Village- Akorhi, P.S.-
Ramgarh, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munna Kumar Son of Late Sharma Mushar Resident of Village- Newras,
P.S.- Kundra, District- Kaimur at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13
For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 06-08-2025 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of
Kudra Police Station Case No. 337 of 2024, dated
16.09.2024, disclosing offences under Sections
87/96/303(2)/334(1)/352/351(2)/3(5) of the Bhartiya
Nyaya Sanhita, subsequently Section 4 of the POCSO Act
was added.
3. The prosecution case, as per the First Information Report,
is that on 14.09.2024, the informant and his wife had
gone to Banaras for treatment, in the meanwhile, the
petitioner, who is son-in-law of the informant, eloped



with the informant's minor daughter. It has further been alleged that while abducting the daughter of the informant, the petitioner also took away Rs. 30,000/- cash and ornaments worth Rs. 50,000/-.

4. Learned counsel for the petitioner submits that the petitioner is son-in-law of the informant and he has not committed any offence in the manner alleged. He next submits that the daughter of informant is major and she voluntarily went with the petitioner and they solemnized marriage in a temple at Banaras. He further submits that the statement of victim girl was recorded under Section 183 of the Bhartiya Nagrik Suraksha Sanhita, in which, she has not supported the prosecution story. Learned counsel also submits that the informant refused for the medical test of his daughter, which would be evident from Annexure-P/4. The petitioner is in custody since 24.09.2024.
5. Regards being had to the submissions made by the parties and taking into consideration the statement of victim girl recorded under Section 183 of the Bhartiya Nagrik Suraksha Sanhita and period of custody of the petitioner, I am inclined to grant regular bail to the petitioner.



- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Additional District Judge VI, Kaimur at Bhabua, in connection to the Kudra Police Station Case No. 337 of 2024 corresponding to POCSO Case No. 85 of 2024.
- 8. This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

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