

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36330 of 2025

Arising Out of PS. Case No.-3 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

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Dipesh Kumar @ Dipesh Sahani S/O Surbali Sahani @ Surybali Sahnhi R/O
Village- Semuapur, P.S- Dumariyaghat, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Harendra Sahani S/O Mohar Sahani R/V- Semuapur, P.S- Dumariyaghat,
Dist.- East Camparan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal

For the Opposite Party/s : Mr.Shailendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 03-12-2025 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Dumariyaghat P.S. Case No. 03 of 2023, registered for the
offences punishable under Sections 363, 365, 34 of the IPC &
Section 8 of POCSO Act.

3. As per allegation, the petitioner along with other
accused persons, named in the FIR, kidnapped the minor
daughter of the informant.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated.
The victim did not support the prosecution case in her statement



recorded under Section 183 of the BNSS. She went with the petitioner, as per her own sweet will and she has solemnized marriage with him. According to medical examination, the age of the victim is 20 years and according to school certificate, she is more than 17 years i.e. on the verge of attaining majority.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 7th Addl. Sessions Judge cum Special Judge POCSO Act, Motihari, East Champaran in connection with Dumariyaghat P.S. Case No. 03 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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