

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57035 of 2025

Arising Out of PS. Case No.-16 Year-2022 Thana- LAUKAHI District- Madhubani

Shiv Kumar Saday S/o Sulindra Saday Resident of Village- Sonwarsha, P.S.-
Lokahi, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shiv Shankar Kumar Sah S/o Haridev Sah R/o vill - Sonwarsha, P.S.- Lokhi,
Distt.- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 25-08-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Lokahi P.S. Case No. 16 of 2022 dated 18.01.2022 registered for the offences punishable u/ss 363, 366A read with Section 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner and the other co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was love affair between the victim and the petitioner and the



petitioner has no concern with the alleged offence. It is further submitted that the matter has been compromised between the parties and a copy of a compromised petition is annexed as Annexure-P/2 with the bail petition. Learned counsel has further submitted that an affidavit has been filed on behalf of the informant's daughter (kept on the record) in which she has stated that she solemnized the marriage with the petitioner and after marriage, she is living happily with the petitioner at his house. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Lokahi P.S. Case No. 16 of 2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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