

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59769 of 2024

Arising Out of PS. Case No.-69 Year-2023 Thana- CHIRAIYA District- East Champaran

Abhishek Kumar S/o Manager sah Resident of village- Ramsingh Chhatauni,
P.S. - Muffasil, Distt. - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rambabu Sah S/o Vishwanath Sah R/o vill - Bahuarwa, P.S. - Chiraiya,
Distt. - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Madan Kumar

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

6 17-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Chiraiya P.S. Case no. 69 of 2023 instituted for the offence under Sections 363, 366(A), 34 of the Indian Penal Code Sections 4 and 8 of the POCSO Act.

3. As per allegation in the FIR, on 1.2.2023 daughter of the informant, went for call of nature but she did not return. Informant has apprehension that 4-5 unknown persons have kidnapped his daughter for marriage purpose.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has stated that she was in love with the petitioner and on 1.2.2023 she left her maternal home out of her own sweet will and went to Motihari and from there with the petitioner went to Hyderabad by bus and performed marriage on 18th of February 2023 in temple. She has not made any allegation for any offence against the petitioner meaning thereby allegation made in the FIR is not corroborated with the statement of the victim girl.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the statement of the victim girl recorded u/s 164 Cr.P.C., this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Chairaiya P.S. Case no. 69 of 2023, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional



Sessions Judge-cum-Special Judge, POCSO Act, East
Champaran, Motihari subject to the conditions as laid down
under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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