

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66624 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- BRAHMPUR District- Buxar

=====

Pawan Verma @ Nitish Kumar, S/o. Shivnath Verma @ Shivnath Sonar,
Resident of Village-Brahmpur, P.S. Brahmpur, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Niwas Pandey, S/o. Late Shivmuni Pandey, R/o. Village- Arak, P.S.
Brahmpur, District- Buxar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 22-03-2025 Heard Learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. Learned Counsel for the petitioner submits that
due to inadvertent mistake, the word 'his' has been typed in
place of 'her' at para-11. He seeks permission to correct the
same.

3. Permission is granted to correct the same in
course of the same.

4. The petitioner is apprehending arrest in
connection with Brahmpur P.S. Case No.155/2024, lodged on
22.03.2024, for the offences punishable under Sections
363/366A of the Indian Penal Code and under Sections 8/12 of
the POCSO Act.



5. As per the prosecution, the allegation of kidnapping is against the petitioner.

6. Learned Counsel for the petitioner submits that the entire allegation is false. He has taken the plea that the alleged victim is major and she went with the petitioner with her consent and marriage has been solemnized between them and she is living with the petitioner in her matrimonial house. Counsel submits that with a view to verify this aspect of the matter this Hon'ble Court has pleased to call for the case-diary vide order dated 08.10.2024. Counsel also submits that as per Medical Board's opinion, the victim's aged is about 20-21 years. Counsel for the petitioner submits that the alleged victim girl has not whispered anything against the present petitioner.

7. Learned Additional Public Prosecutor for the State opposes the prayer for bail and submits that informant is father of the alleged victim but in her statement under Section 164 Cr.P.C. the victim has not said anything against the present petitioner rather the Court has ascertained her age as 18 years and in her statement 164 Cr.P.C. it has come that the victim is in love with the petitioner and they are in consent with each other have solemnized marriage.

8. In the present facts and circumstances of the case,



the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs.30,000/- (Three Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Buxar, in connection with Brahmpur P.S. Case No. 155/2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Mkr./-

U		T	
---	--	---	--

