

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75557 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- Manuapul District- West Champaran

Aman Jha S/O Rajesh Jha @ Nawal Kishor Jha R/O Village- Srinagar Ojha
Tola, P.S- Manuapul, Distt.- Wes Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Murari Sharan Prasad S/O Late Ayodhya Prasad R/O Village- Tilangahi
Bhuarwa, P.S- Purushottampur, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Aditya Nath Jha, Advocate
For the Opposite Party/s	:	Mr.Anant Kumar I, APP
For the Informant	:	Mr. Bimlesh Kumar Pandey, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 17-04-2025 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in connection
with Manuapul P.S. Case no.64 of 2024 registered under
Sections 366A, 363, 341, 323, 504, 506 and 34 of the Indian
Penal Code and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the informant states
that his daughter aged about 17 years was staying in a hostel in
Punjab. He further states that he got to know that his daughter
was not in the hostel. Thereafter, he repeatedly tried to contact
his daughter on phone but he failed to contact her. Subsequently,
he came to known from a person that his minor daughter



eloped with one Aman Jha and he wanted to marry her daughter.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. From perusal of the F.I.R, it would appear that the present case is related to love relationship between the petitioner and the informant's daughter. He further submits that the informant's daughter was recovered on 20.07.2024 and her statement was recorded under Section 161 as well as Section 164 Cr.p.c. In her statement, the victim says that her age is about 17 years 9 months and she is on the verge of attaining majority. She was in love relationship with the petitioner and they were residing in petitioner's house after solemnizing marriage with him. The petitioner has no criminal antecedent and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State and learned counsel for the informant who submits that the informant's daughter is a minor and the case is instituted under the POCSO Act. It would however be evident from paragraph nos. 30 and 35 of the case diary, that the victim refused to medically examine herself.

6. Considering the fact that there was a love relationship between the victim girl and the petitioner who is a



young boy aged about 21 years, especially considering the statement of the victim girl recorded under Section 164 Cr.P.C, disclosing her age of discretion, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Manuapul P.S. Case no.64 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO-cum-A.D.J-VI, West Champaran at Bettiah, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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