

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77137 of 2024

Arising Out of PS. Case No.-151 Year-2023 Thana- KUNDWACHAINPUR District- East
Champaran

Chandan kumar Son of Yogendra sah Resident of village - Mahangua, Ps-
Kundwachainpur, Dist- East Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Urmila Devi wife of Late Lalan Prasad Resident of village - Mahangua, Ps-
Kundwachainpur, Dist- East Champaran

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-04-2025 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, nobody appears for opposite
party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 363, 366A, 323, 504/34
of the Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, while daughter of
informant was going to attend call of nature at 8 pm, petitioner
and other two accused persons kidnapped her 17 years old
daughter with intention to marry her.

4. Learned counsel appearing for the petitioner while
denying the allegations, submits that the victim, in her
statement recorded under section 164 of the Code of Criminal
Procedure, has stated that she had left her parental house on her
own sweet will and went to Ahmadabad with the petitioner and
solemnized marriage with him. Age of victim is stated to be 18
years in her aforesaid statement.

5. Considering the victim's statement recorded under



section 164 of the Code of Criminal Procedure, prayer for bail of the petitioner is allowed. In the event of arrest or surrender within eight weeks from today, let this petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge VI cum Special Judge, POCSO, Motihari, East Champaran in Kundwachainpur Police Station Case No. 151 of 2023, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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