

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87053 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- BHAGWANPUR District- Vaishali

Shivam Kumar @ Guddu @ Guddu Sahani S/O Sri Kailash Dash Resident of
Village- Partaptarn, Police Station- Bhagwanpur, Dist.- Vaishali....
Petitioner/s

Versus

1. The State of Bihar
2. Ranju Devi W/O Umesh Thakur R/O Village and P.O- Bhagwanpur, Dist.-
Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Sharma, Advocate
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 21-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 363, 366A
and 376 of the Indian Penal Code and Section 4 of the POCSO
Act.

3. The case of the prosecution is that the petitioner
has kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in
connection with the present case. It is further submitted that
during the course of investigation, the victim has given her
statement under section 164 of the Cr. P.C. in which she has



stated that she had gone to market where she met with the petitioner, Shivam Kumar @ Guddu @ Guddu Sahni and from there she went with the petitioner in her own sweat will. Further submission is that the victim and the petitioner has solemnized marriage and they are also having a child from their wed lock. It is a simple case of elopement. Moreover, the petitioner is languishing in judicial custody since 20.09.2024 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhagwanpur P.S. Case No. 103 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI cum Special Judge, POCSO, Hajipur, Vaishali.

(Ashok Kumar Pandey, J)

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