

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85917 of 2024

Arising Out of PS. Case No.-245 Year-2023 Thana- AMARPUR District- Banka

Shivnandan Kumar @ Shivnandan Thakur S/O Pramod Thakur R/O Village-
Damodih, P.S- Fullidumar, Distt.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Jhakasu Tanti S/O Late Nasib Tanti R/O Village- Dumodih, P.S- Fullidumar,
Distt.- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 04-09-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Amarpur (Fullidumar) P.S. Case No. 245/2023 dated 13.04.2023 registered for the offence punishable u/s 366A read with Section 34 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. There was love affair between the parties. The other co-accused persons have already been granted anticipatory bail by the Co-ordinate Bench *vide* order dated 10.09.2024 passed in Cr. Misc. No. 47412/2024. The victim in her statement recorded under Section 164 Cr.P.C has stated that while she was going to school on 03.04.2023 along with Sapna she called Shivnandan as they were knowing each other for the last one year, thereafter, on 03.04.2023 they performed their marriage, after performing marriage they went to Bhagalpur by train and from there to Rajkot, she also submits that since her mother intended to get her married somewhere else as such she eloped and even had physical relation with Shivnandan. Learned counsel has submitted that the victim has not raised any alarm while she was being taken to Bhagalpur or Rajkot. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Banka in connection with Amarpur (Fullidumar) P.S. Case No. 245/2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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