

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2826 of 2025

Arising Out of PS. Case No.-122 Year-2022 Thana- MANER District- Patna

Sipahi Chaudhary @ Dharmendra Kumar S/O Late Javahar Chaudhary R/o
Ward no. 4 Char Hazar, Nasirganj, P.S.- Maner, District Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Savitri Devi W/O late Dwarika Paswan R/O Newati Mohalla, Ward no.1,
P.S.- Maner, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Kumar Jha, Advocate Mr. Asfar Imam, Advocate Mr. Subhankar Chandra, Advocate
For the Opposite Party/s	:	Mr. Madhura Nand Jha, APP
For the Informant	:	Mr. Hafiz Shahbaz Arif, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 11-04-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Maner P.S Case no.122 of 2022 registered under sections 366A, 376, 379 and 34 of the Indian Penal Code and sections 4/6 of the POCSO Act.

3. As per the prosecution case, the informant states that her 15 year old daughter was taken away by the petitioner for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. There is love affair between the parties and the daughter of the informant



went with the petitioner out of her own volition. Though she may have supported the prosecution case in her statement under section 164 Cr.P.C, however it has transpired in course of investigation that both the petitioner and the daughter of the informant are living together and they also have a child. Further the daughter of the informant is once again in the family way. The petitioner is in custody since 19.11.2024 and has no criminal antecedent. He undertakes to cooperate in the case/trial.

5. The application for bail is opposed by learned A.P.P for the State who submits that though in paragraph no.78 of the case diary it has transpired that both the petitioner and the daughter of the informant are residing together as husband and wife, however in the medical examination her age has been estimated to be between 14-15 years.

6. Learned counsel for the informant submits that it is a fact that both of them are living together as husband and wife.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the age of the daughter of the informant having been estimated in the medical examination to be between 14-15 years together with the victim having supported the allegation against this petitioner in her statement under section 164 Cr.P.C, the



Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. In the facts of the case, liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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