

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79323 of 2025

Arising Out of PS. Case No.-325 Year-2023 Thana- DUMARIAGHAT District- East
Champaran

=====

Chandan Kumar Son of Sanjay Sahani R/o Vill. - Puraina, P.S. -
Dumariyaghat, Dist. - East Champaran(Bihar).

... .. Petitioner

Versus

1. The State of Bihar
2. Madan Prasad Son of Late Mahendra Prasad R/o Vill. - Puraina, P.S. -
Dumariyaghat, Dist. - East Champaran(Bihar).

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Tiwari, Advocate
For the Opposite Party/s : Mr.Nand Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 08-07-2026 Heard learned counsel for the petitioner and the State.

Nobody appears for opposite party no.2 inspite of valid service
of notice.

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

3. As per prosecution case, all the FIR named accused
persons including this petitioner kidnapped minor daughter of
informant for the purpose of marriage.

4. It is submitted on behalf of the petitioner that this
petitioner is innocent and has falsely been implicated in this
case. He submits that the victim, in her statement recorded
under sections 161 and 164 of the Code of Criminal Procedure,



has stated that she had left the house voluntarily and solemnized marriage with the petitioner. She has further stated that she was three and half months pregnant. She has stated herself to be 19 years old before the Court, whereas Medical Board has assessed her age between 15 years. Petitioner claims clean antecedent.

5. Learned counsel for the State opposed the prayer for pre-arrest bail.

6. Considering the aforesaid facts of the case, prayer for bail of this petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let this petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.7,000/- (seven thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in Dumariyaghat Police Station Case No. 325 of 2023, subject to the conditions laid down under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

shashi/-

U		T	
---	--	---	--

