

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73156 of 2019

Arising Out of PS. Case No.-156 Year-2018 Thana- SANDESH District- Bhojpur

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Rahul Kumar, Male, aged about 20 years, S/o Shiv Jee Ram, R/O- Village - Nasrathpur, P.S. - Sandesh, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar, Advocate
For the State : Mr.Humayou Ahmad Khan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with POCSO Case No. 79 of 2018 arising out of Sandesh P.S. Case No.156 of 2018 registered for the offences punishable under Sections 366A/34 of the Indian Penal Code, Section 12 of the POCSO Act and Section 66(E) of the I.T. Act.

Prosecution case is that the daughter of the informant Anshu Kumari aged about 13 years is a student of class 6th in Middle School, Nasarathpur. On 20.11.2018, she had gone to school but could not come back till 4.00 P.M. then he started searching her. It was found that the petitioner had



kidnapped her and then he went to the house of the petitioner and met with his father and mother and asked about his daughter and they have accepted that his son will come back within a few days. In spite of that fact they were giving false information and up till now there is no clue till today.

From perusal of the case record, it transpires that the statement under Section 164 Cr.P.C. was recorded by the learned Magistrate and the learned Magistrate has opined the age of the victim as 16 years. It is a fact she has told that she has married with Rahul Kumar. Learned counsel for the petitioner further submits that the petitioner has got no any criminal antecedent. He further submits that the alleged victim girl has also given birth to a male child, who is barely 6 to 7 months, which is mentioned in paragraph-11 of the bail petition.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Bhojpur, Ara in connection with POCSO Case No.79 of 2018 arising out of



Sandesh P.S. Case No. 156 of 2018, subject to the condition as
laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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