

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34888 of 2021

Arising Out of PS. Case No.-839 Year-2020 Thana- MADHEPURA District- Madhepura

RAJEN KUMAR @ RAJENDRA KUMAR RAHUL Son of Shri Kailash
Yadav Resident of Village-Bhadoul, Ward No.-6, Police Station and District-
Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Kumar

For the Opposite Party/s : Mr.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Madhepura (Bharrahi OP)
P.S. Case No. 893 of 2020 (POCSO 40/2020), registered for the
offence punishable under Sections 363, 366A/34 of the Indian
Penal Code and section 4 of the POCSO Act.

As per the prosecution case, this petitioner along with
other FIR named accused persons and 4-5 unknown persons
kidnapped the minor daughter of informant.

It is submitted on behalf of the petitioner that no such
occurrence has taken place and the victim girl in her statement
under Section 164 Cr.P.C has clearly stated that she went along



with this petitioner for shopping and she was not kidnapped by anyone and has stated her age to be 19 years. Petitioner is in custody since 06.11.2020 having clean antecedent.

In view of statement of victim girl under Section 164 Cr.P.C, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (POCSO Act), Madhepura in connection with Madhepura (Bharrahi) P.S. Case No. 839 of 2020 (POCSO 40/2020), subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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