

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10566 of 2022**

Arising Out of PS. Case No.-365 Year-2021 Thana- GORAUL District- Vaishali

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DHIRAJ KUMAR, Son of Late Surendra Ray, Resident of Village- Sondho
Basudev, P.S.- Goraul, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Prem Kumar Jha

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

ORAL ORDER

2 05-07-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 363/366(a) of the Indian Penal Code and later on Section 376 of Indian Penal Code and Section 4 of POCSO Act were added.

The allegation against the petitioner and other accused persons is that they are said to have kidnapped the victim aged about 12 years to solemnize marriage with her.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has clean antecedent as stated at para 3 of the bail



petition. The victim in her statement recorded under section 164 of the Cr.P.C., has stated that the petitioner took the victim to her Mousi's house and left there. She has further stated that no one kidnapped her. She has not stated about sexual assault in the said statement. The petitioner is in custody since 17.10.2021.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Court POCSO-cum-A.D.J.-VI, Vaishali at Hajipur, in connection with Goraul P.S. Case No. 365 of 2021, with a condition

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner will liable to be cancelled.

The application stands allowed.

sanjeev/-Atul

(Chandra Prakash Singh, J)

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