

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16488 of 2022**

Arising Out of PS. Case No.-738 Year-2021 Thana- DEHRI TOWN District- Rohtas

RAHUL KUMAR @ CHHOTU Son of Raj Kumar Soni Resident of mohalla  
- Pashchimi Mohan Bigha, Ward No.- 16 Dehri, P.S.- Dehri (Town), District -  
Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                   |
|----------------------------|---|-------------------------------------------------------------------|
| For the Petitioner/s       | : | Mr.Jai Prakash Singh<br>Mr. Krishan Pal Singh<br>Mrs. Arti Kumari |
| For the Opposite Party/s : |   | Mr.Abhay Kumar                                                    |

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

ORAL ORDER

2      21-07-2022                      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 366 (A) of the  
Indian Penal Code and Section 12 POCSO Act.

As per the prosecution case, the petitioner is said to  
have kidnapped the victim girl aged about 16 years and took her  
to Pune for the purpose of marriage.

Learned counsel for the petitioner has submitted that  
the petitioner is innocent and has falsely been implicated in this  
case. Nothing has been recovered from the possession of the  
petitioner. The petitioner is also accused in two other criminal



cases as stated at para 3 of the bail petition. The victim girl in her statement under Section 164 Cr.P.C. has stated that the petitioner has not kidnapped her and she herself voluntarily pressurized the accused to go to Pune. Learned counsel further submitted that the petitioner is suffering from tuberculosis. The petitioner is in custody since 24.12.2021.

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 Addl. District and Sessions Judge-VII cum Exclusive special court (POCSO), Rohtas at Sasaram, in connection with POCSO case no. 14 of 2022 arising out of Dehri (Town) P.S. Case No. 738 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 is liable to be cancelled.

The application stands allowed.

atul/-

**(Chandra Prakash Singh, J)**

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