

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28636 of 2021

Arising Out of PS. Case No.-129 Year-2020 Thana- KOCHAS District- Rohtas

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1. Radha Devi, aged about 45 years, female, W/o Rupchand Ram.
 2. Akshay Kumar, aged about 21 years, male, S/o Rupchand Ram.
- Both are R/o Village - Barahari, P.S. - Kargahar, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 13-01-2022 Heard Mr. Vikram Deo Singh, the learned Advocate

for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with POCSO case No. 50 of 2020 arising out of Kochas P.S. Case No. 129 of 2020, dated 20.07.2020, instituted for the offences under Sections 363 and 366/34 of the Indian Penal Code and Sections 3, 4, 5 and 6 of the Protection of Children from Sexual Offences



Act, 2012 of the Indian Penal Code.

The daughter of the informant is said to have disappeared one day when she was at her sister's house. The informant has suspicion on the petitioners because in the past also, one of the sons of petitioner No. 1 had abducted his daughter.

On the aforesaid statement made by the father of the victim girl, the subject F.I.R. has been lodged.

The victim girl was recovered and she has given her statement under Section 164 Cr.P.C. In the aforesaid statement, she has disclosed that she had gone to the house of her sister along with one Aakash, son of Kamta Chaukidar. She was, on one day, informed by aforesaid Kamta Chaukidar that she will be made to marry the person whom she loves. On such assurance, the victim accompanied Kamta Chaukidar, who brought her to his son, namely, Ajay. Later, she went to another place with aforesaid Ajay. After her recovery, in her statement under Section 164 Cr.P.C., she has expressed her desire to go to her parents.



Mr. Vikram Deo Singh, the learned learned Advocate for the petitioners has submitted that the victim girl has not at all referred to any act of the petitioners for warranting any prosecution against them.

For the reasons afore-stated, the petitioners, in the event of their arrest or surrender before the learned Court below within a period of four weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-VII-Cum-Exclusive Special Court, POCSO, Rohtas at Sasaram in connection with POCSO case No. 50 of 2020 arising out of Kochas P.S. Case No. 129 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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