

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32855 of 2022

Arising Out of PS. Case No.-266 Year-2021 Thana- NAUTAN District- West Champaran

RAJEEV KUMAR @ PRAMOD KUMAR S/o Sri Fulena Patel Resident of
Village- Khadda, Pokhra Tola, P.S.- Nautan, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Nautan
P.S. Case No. 266 of 2021 registered for the offence under
Section 366-A/34 of the Indian Penal Code and Section 8 of the
POCSO Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 08.02.2022.

The allegation against the petitioner is to kidnap the
minor daughter of the informant, aged about 15 ½ years for the



purpose of illicit intercourse.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner was falsely implicated in this case out of failed love affairs. It is further submitted that victim negates the allegation of sexual assault against this petitioner, while recording her statement under Section 164 of the Cr.P.C., rather stated that she solemnized her marriage with petitioner out of own sweet will, when she was ousted from house by her step mother. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, duly assisted by learned counsel for the informant opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as victim negates the allegation of sexual assault through her statement recorded under Section 164 of the Cr.P.C. against this petitioner coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Nautan P.S. Case No. 266 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, under POCSO Act, West Champaram at Bettiah/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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