

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63071 of 2023

Arising Out of PS. Case No.-85 Year-2023 Thana- RAJAON District- Banka

RAJ KUMAR @ RAJA KUMAR SON OF LATE SHAMBHU SAH
VILLAGE- DHANKUND, PS- DHANKUND, DIST- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

2 06-10-2023 Heard learned counsel for the petitioner and the
learned A.P.P.

2. The petitioner has preferred this application for grant of regular bail in connection with Rajoun (Nawada) P.S. Case No. 85 of 2023 dated 25.2.2023 registered for the offence punishable under Sections 366-A/34, 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has not committed any offence in the manner alleged. He has falsely been implicated in this case due to village Politics. It has further been alleged that



victim girl in her statement recorded under Section 164 Cr. P.C. has stated that she went to her *Mousi's* house as her parents tried to marry her. She has not supported the allegation of rape in her statement recorded under Section 164 Cr. P.C. The victim was not forced to have illicit relationship with another person. The petitioner is in custody since 4.4.2023.

5. On the other hand, learned A.P.P. has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 20,000/- (Twenty thousand), with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-6-cum-Special Judge, POCSO, Banka, in connection with Rajoun (Nawada) P.S. Case No.85 of 2023.

(Chandra Prakash Singh, J)

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