

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69255 of 2023

Arising Out of PS. Case No.-335 Year-2023 Thana- RAJAON District- Banka

SINTU KUMAR @ SITTU KUMAR, SON OF SRI ARUN YADAV @ SRI
RABINDRA YADAV @ SRI RABIN YADAV, RESIDENT OF VILLAGE
-KURPAT, POLICE STATION- SABOUR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. BARUN YADAV, SON OF LATE RAMBHAJJO PRASAD YADAV,
RESIDENT OF VILLAGE- CHAKSAPHIYA, P.S.- RAJOUN, DISTRICT-
BANKA

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Mukherjee, Advocate Mr. Ganesh Sharma, Advocate
For the Opposite Party/s	:	Ms. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-12-2023 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Rajoun P.S. Case no.
335 of 2023, registered under sections 366A and 34 of the
Indian Penal Code and section 8 of the POCSO Act.

3. As per the prosecution case, the informant states
that his 14 years old daughter went missing. On search in
transpired that the petitioner had taken her away with the
assistance of the other accused persons.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The daughter



of the informant returned and her statement was recorded under section 164 of the Cr.P.C wherein she has categorically stated that she went with the petitioner out of her own free will as a result of love affair between the two. The petitioner is in custody since 13.7.2023, has no criminal antecedent and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP for the State. Learned APP for the State submits that in her statement recorded under section 164 of the Cr.P.C. the daughter of the informant has stated that as a result of the abuse inflicted by her parents, she went out of her own free will, called the petitioner who told her that she was still a minor and she returned to her house.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation especially the contents of the statement of the alleged victim recorded under section 164 of the Cr.P.C., the petitioner being in custody since 13.7.2023, charge-sheet having been submitted in the case and the petitioner not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with Rajoun P.S. Case no. 335 of 2023, on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned Additional Sessions
Judge-VI-cum-Special Judge POCSO, Banka.

(Partha Sarthy, J)

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