

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12106 of 2024

Arising Out of PS. Case No.-384 Year-2023 Thana- NOORSARAI District- Nalanda

VIJAY KUMAR Son of Rambalak Pandit Resident of Village-Chhatarpur,
Police Station-Noorsarai, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Sharma, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

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

ORAL ORDER

4 10-07-2024 Heard learned counsel for the petitioner and learned A.P.P
for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Noorsarai P.S. Case No. 384 of 2023 dated 14.08.2023 registered for the offences punishable under Section 366 A of the Indian Penal Code and charge sheet has been submitted u/s 366 A of the I.P.C. and Section 8/12 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant with intent to marry by enticing her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has committed no offence. He has been falsely implicated in this case only on suspicion. From perusal of the F.I.R., it appears that the daughter of the informant herself fled away from her house. She was not kidnapping by the petitioner. The victim



girl in her statement recorded u/s 164 of the Cr.P.C. has not made any allegation regarding sexual assault against the petitioner. The petitioner has a clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the victim girl is minor.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nalanda at Biharsharif in connection with Noorsarai P.S. Case No.384 of 2023, with a condition:-

(i). 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 bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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