

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12691 of 2024

Arising Out of PS. Case No.-670 Year-2023 Thana- DIGHA District- Patna

Vikash Kumar Thakur S/O Harinandan Thakur R/O Village- Ekar, Ps.-
Nauhatta, Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 19-09-2024 Heard learned counsel for the petitioner as well as learned
APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Special (POCSO) Case No. 319 of 2023 arising out of Digha P.S. Case No. 670 of 2023, registered for the offences punishable under Section 366 (A) of the Indian Penal Code and later on added Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per allegation, on 23.08.2023, when the informant's minor sister had gone out from the house to meet her friend by taking her phone and when the informant tried to contact her the said phone was found switched off, the present case was registered as specified against unknown.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and he has falsely been implicated in this case. Prior to the present occurrence also the victim had eloped and Digha P.S. Case No. 528 of 2022 was lodged against unknown persons for



elopement of the victim. Learned counsel for the petitioner has also submitted that the age of the victim is above 17 years which shows that she is on the verge of majority. He has also been submitted that under the coercion and duress, the victim had supported the allegation in the statement under Section 164 of the Cr.P.C. The petitioner is a person of clean antecedent and he is in custody since 01.09.2023.

5. On the other hand, learned APP for the State, Mr. Shailendra Kumar opposes the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO, Patna in connection with Special (POCSO) Case No. 319 of 2023 arising out of Digha P.S. Case No. 670 of 2023 subject to the following condition:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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