

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20671 of 2024

Arising Out of PS. Case No.-253 Year-2023 Thana- SARAI District- Vaishali

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DHANRAJ KUMAR SON OF SRI GANESH SHARMA RESIDENT OF
VILLAGE - SARMASTPUR, P.S. - MAHNAR, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Jai Shankar Pathak
For the Opposite Party/s :	Ms.Rina Sinha
	Mr.Rajeev Ranjan II
	Smt. Kumari Rupa
	Smt.Priyanka Kumari

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

ORAL ORDER

4 01-07-2024 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 Sarai P.S. Case No. 253 of 2023, registered

for the offences punishable under Sections 363, 366A, 34 of the

IPC, Section 4 of the POCSO Act and 9 of the Child Marriage

Restraint Act.

3. As per allegation, the daughter of the informant

went to her Coaching, but she did not return. Her family

members started searching for her. During course of search, they

came to know that the petitioner along with co-accused person

forcefully got her seated on his motorcycle and fled away.



4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The victim in her statement under Section 164 of the case diary did not support the prosecution case. From statement of the victim under Section 164 of the Cr.P.C., it appears that there is no allegation of commission of rape against the petitioner. He has submitted further that the victim in her statement under Section 161 of the Cr.P.C. has stated that her mother had slapped her and in anger, she had left her house. It has also been submitted that the petitioner is under custody since 20.12.2023.

5. On the other hand, the learned APP for the State and the learned counsel for the informant have opposed the prayer for bail and submitted that the victim is a minor girl and her statement cannot be taken into account.

6. Considering the above-mentioned facts and circumstances as well as the period of custody, 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, Hajipur, Vaishali in connection with Sarai P.S. Case No. 253 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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