

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21346 of 2024

Arising Out of PS. Case No.-277 Year-2023 Thana- GARKHA District- Saran

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Rannu Kumar @ Ranu Kumar S/o Anil Mahto R/o MOTIRAJPUR, P.O. -
SAID SARAI, P.S. - GARKHA, DIST. - SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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

ORAL ORDER

4 09-07-2024 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 Garkha P.S. Case No. 277 of 2023, registered for the offences punishable under Sections 366(A)/363/376 of the Indian Penal Code and Section 4 of POCSO Act.

3. As per allegation, the minor daughter of the informant aged about 15 years became traceless. The informant came to know that the petitioner had kidnapped her.

4. Learned counsel for the petitioner has submitted that the victim herself went with the petitioner. The further submission of the learned counsel is that the statement of the victim under Section 161 of the CrPC is contradictory to her statement under Section 164 of the CrPC. In her statement under Section 161 of the CrPC, she has stated that she went to



Maharashtra with the petitioner. He has further submitted that in the medical report the age of the victim is assessed as 17-19 years.

5. On the other hand, the learned Addl.P.P., Shri Shailendra Kumar has opposed the prayer for bail by submitting that as per school certificates the year of birth of the victim is 2007 and at the time of occurrence she was 16 years 2 months 10 days. He has also submitted that the victim in her statement under Section 164 has stated that the petitioner and co-accused were blackmailing her after showing her photographs and it was the reason that she went with the petitioner. The petitioner kept her for two and half months in Maharashtra and committed sexual assault several times.

6. It appears that the victim is a minor girl and in her statement under Section 164 of the CrPC, she has specifically stated that due to blackmailing she followed the petitioner to Maharashtra where he kept her for two and half months and also committed rape.

7. Considering the above-mentioned facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is rejected.

(Nawneet Kumar Pandey, J)

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