

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21939 of 2024

Arising Out of PS. Case No.-434 Year-2023 Thana- PARSABAZAR District- Patna

Akash Kumar Kushwaha Son of Basant Kumar Kushwaha R/o Mandal Road
No. 571, Janta Pul ke Pas, P.S.- Jabalpur, Dist.- Jabalpur (Madhya Pradesh)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjeet Mahto S/O- Sudama Mahto R/O village-Tarwa Suraksha Bandh,
P.S.-Parsa Bazar District-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Singh
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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

ORAL ORDER

5 29-07-2024 Heard the learned counsel for the petitioner
and learned APP for the State.

2. This is an application for regular bail on behalf of the petitioner for the offences alleged under Sections 363 and 365, cognizance being taken under Sections 341, 323, 504, 363 and 365 of the Indian Penal Code and Sections 8 & 12 of the POCSO Act, registered in connection with Barsa Bazar P.S.Case No. 434 of 2023.

3. As per allegation, the informant's daughter went to her college, but did not return till late evening. Thereafter, the informant's side made hectic search for her, but to no avail. Further allegation is that the petitioner and the victim were in touch with each other over their mobile



phones and she might have been enticed away by the petitioner.

4. The learned counsel for the petitioner has submitted that the victim did not support the prosecution case in her deposition in course of trial. She stated that she went from her house in anger. The learned counsel also submitted that on the date of occurrence, the age of the victim, as per her school certificate, was 17 years, nine months and 14 days, which shows that she was on the verge of attaining the age of majority. The petitioner is in custody since 21.10.2023 and there is no criminal antecedents to his credit.

5. Considering the above facts and circumstances of the case, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-6-cum-Special Judge, POCSO, Patna in connection with Parsa Bazar P.S.Case No. 434 of 2023, subject to the conditions that the petitioner shall cooperate in the disposal of trial and make himself available on each and every date fixed at the trial, and **if he fails to appear on two**



**consecutive dates, unless he is prevented by extremely
adverse circumstances, the court below shall be at
liberty to cancel his bail bond.**

(Nawneet Kumar Pandey, J)

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