

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30023 of 2024

Arising Out of PS. Case No.-185 Year-2023 Thana- BIHAR District- Nalanda

Rahul Kumar @ Golu Son of Ashok Prasad R/v- - Baignabad, P.S.- Bihar,
Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 10-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Bihar P.S. Case no. 185
of 2023 registered under section 366A of the Indian Penal Code
and sections 4 and 6 of the POCSO Act.

3. As per the prosecution case, the informant's minor
daughter was kidnapped by unknown accused persons and was
not to be found inspite of search.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. There is delay
of 2-3 days in lodging of the F.I.R. The daughter of the
informant went with the petitioner out of her own free will and
everyone knew about their love affair. They have married. The



statement under section 164 Cr.P.C has been given by the daughter of the informant under family pressure. The petitioner is in custody since 27.2.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and having perused the material on record, it transpires that the daughter of the informant was aged about 14 years 9 months on the date of occurrence. Even as per the medical report she was aged about 15-16 years. In her statement under section 164 Cr.P.C she has made categorical allegations against the petitioner of having kidnapped her and having forcibly established physical relations with her. In the facts and circumstances of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after examination of the victim in course of trial.

(Partha Sarthy, J)

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