

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26518 of 2024

Arising Out of PS. Case No.-261 Year-2023 Thana- PHULPARAS District- Madhubani

Rajkumar @ Raju S/o- Birendra Singh @ Birendra R/o- Mohalla - Adarsha
Nagar, Near Balaji Temple, PS- Ballamgarh, Distt- Faridabad (Hariyana)

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ashok Rai Son of Late Laxmi Rai Village Balabakhar PS- Phulparas Dist-
Madhubani (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Baleshwar Kamat
For the Informant	:	Mr. Ramchandra Jha Raman
For the Opposite Party/s	:	Mr.Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 27-08-2024 Heard learned counsel for the petitioner and learned
counsel for the Informant as well as learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Phulparas P.S. Case No. 261 of 2023, POCSO G.R. No. 14/2023 dated 10.05.2023 registered for the offence/s punishable u/ss 341, 323, 363, 366A, 376, 120B of the Indian Penal Code, section 4 of POCSO Act and section 9 and 11 of the Child Marriage Act.

3. As per the prosecution case, the co-accused persons are alleged to have kidnapped the minor daughter of the informant for the purpose of marriage.

4. 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 recorded u/s 164 of the Cr.P.C. has stated that she was forced to get married with the petitioner and thereafter she went to Delhi. There is no sign of sexual assault found at the time of the medical examination. The victim was not forced or seduced to have illicit relationship with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.09.2023.

5. Learned counsel for the Informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and stated that the victim is a minor girl.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Phulparas P.S. Case No. 261 of 2023, POCSO G.R. No. 14/2023, with the condition-:

(i). The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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