

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30487 of 2024

Arising Out of PS. Case No.-467 Year-2023 Thana- BYPASS District- Patna

Sunni @ Rahul Kumar S/o Badri Chaudhary R/o Mohalla - Begampur, Sedha Bazar, P.S. - Bypass, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Lalita Kumari, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 26-07-2024 Heard Mrs. Lalita Kumari learned counsel for the petitioner and learned APP for the State.

2. The petitioner is an accused in connection with Bypass P.S. Case No. 467 of 2023 registered for the offences under sections 363, 366(A) and 376(D) of the Indian Penal Code and sections 4,6,8 and 12 of the POCSO Act lodged on 09.10.2023 by the informant, Sunita Devi.

3. As per the prosecution story, the informant alleged that her daughter used to talk to Aditya Kumar, met him and later disappeared. This followed the FIR.

4. Subsequently, the victim girl was recovered and made statement that Aditya Kumar took her away and committed wrong. So far as this petitioner is concerned, she has alleged that he was also with the main accused Aditya Kumar,



though no sexual charges attributed to him.

5. The case dairy and the section 164 Cr.pc statement of the girl is/are here and the same is in line with the statement made by the learned counsel for the petitioner. This Court has also taken note of the fact that the girl refused to go through the medical examination.

6. Learned APP for the State, on the other hand, opposes the prayer for bail submitting that he has also been found to be accused in this case.

7. Considering the submissions put forward by the parties as also that he is 22 years of age having no criminal antecedent, no sexual exploitation has been alleged by him and he is in custody since 13.10.2023 (as stated in paragraph-9 of the petition), this Court is inclined to extend him the privilege of bail.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned A.C.J.M., Patna in connection with Byepass P.S. Case No. 467 of 2023, subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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