

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29420 of 2024

Arising Out of PS. Case No.-233 Year-2023 Thana- MEHANDIA District- Jehanabad

Amit Kumar Ojha @ Mukul Ojha @ Amit Ojha Son of Baidhnath Ojha
Resident of Village- Ismailpur, P.S- Mehandia, Dist- Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sidhu Ojha Son of Not Known Resident of Village- Ismailpur, P.S- Mehandia, Dist- Arwal.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra
For the Opposite Party/s : Mr.Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 31-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Special POCSO Case No. 121 of 2023, arising out of Mahendia P.S. Case No. 233/2023, registered under Section 366A of the Indian Penal Code and section 8 of the POCSO Act, later on section 376 of the Indian Penal Code, section 4 of the POCSO Act and section 9/10 of the Prohibition of Child Marriage Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. There is a delay of three days in lodging the F.I.R. and there is no



plausible explanation for the same. The alleged victim girl in her statement recorded u/s 164 Cr.P.C. stated that she was in a relationship with the petitioner and left the house after being abused and assaulted by her parents. The petitioner has no criminal antecedent and he is in custody since 30.10.2023.

5. Learned A.P.P. for the State has opposed the prayer for bail.

6. Considering the facts and circumstances of the case and also period of custody, this bail application is allowed.

7. Let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge- VI-cum-Spl. Judge (POCSO) Act, Jehanabad in connection with Special POCSO Case No. 121 of 2023, arising out of Mahendia P.S. Case No. 233/2023, subject to the condition that the petitioner shall cooperate in the trial and shall be represented through his lawyer or himself.

(Sandeep Kumar, J)

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