

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37141 of 2024

Arising Out of PS. Case No.-701 Year-2023 Thana- SAUR BAZAR District- Saharsa

Rajanikant Kumar Son of Anil Biswas Resident of Village - Kachara, Police
Station - Sour Bazar, District - Saharsa

... .. Petitioner

Versus

1. The State of Bihar
2. Ramsevak Mehta S/o Shankar Patel R/o ward no. 6, vill - Kachara, P.S. -
Saur Bazar, Distt. - Saharsa

... .. Opposite Partys

Appearance :

For the Petitioner	:	Mr. Yogesh Chandra Verma, Sr. Adv Mr. Satish Kumar Singh, Adv Mr. Dinesh Maharaj, Adv
For the Opposite Party	:	Mr. Suman Kumari Singh, APP
For the Informant	:	Mr. Raja Surendra Mohan, Adv

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

ORAL ORDER

4 25-09-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Special POCSO Case No. 06/2024 arising out of Saur Bazar P.S Case No. 701/2023 dated 12.11.2023 registered for the offences punishable under Sections 363, 365, 366A and 120B of the Indian Penal Code, Section 8 and 12 of the POCSO Act.

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



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 has solemnized marriage with the petitioner and she went to Hyderabad with the petitioner with her own will. There is nothing on record that shows that the victim was forced or seduced to have illicit intercourse with another person. Learned counsel has submitted that the victim has not raised any alarm while she was being taken to Hyderabad. As per para. 19 of the case diary, the victim was recovered near the court premises. As per para. 20 of the case diary, the victim has denied to be examined medically. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.12.2023.

5. Learned A.P.P. for the State and learned counsel for the informant has vehemently opposed the bail petition of the petitioner by submitting 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, Saharsa in connection with Special POCSO Case No. 06/2024 arising out of Saur Bazar P.S Case No. 701/2023, 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 bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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