

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38460 of 2024

Arising Out of PS. Case No.-293 Year-2023 Thana- BEUR District- Patna

Rahul Kumar Son Of Birju Sahni Village- Milkhi Gajpatti, P.S -Dholi, Dist -
Muzaffarpur At Present Mohalla- 70 Ft. Renter Of Lalan Ray, P.S.- Beur,
Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mithlesh Kumar Son Of Jugal Bind Resident Of Village- Kodai Gorepa,
P.S.- Sakurabad, Dist- Patna At Present Mohalla-70 Ft. Road No. 20, P.S-
Beur, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Special (POCSO) Case No.266 of 2023 arising out of Beur P.S.
Case No.293 of 2023, lodged on 21.04.2023, under Sections
366A/376 of the Indian Penal Code and under Section 4 of the
POCSO Act.

3. As per the prosecution, FIR has been lodged against
the present petitioner for kidnapping of the informant's
daughter.

4. Learned counsel for the petitioner submits that the
recovery of the alleged victim has already been taken place.



Charge has been framed and trial has been commenced. Counsel submits that during trial the victim and her mother had deposed their evidence and in their evidence there is no material has come against the present petitioner. Counsel submits that the petitioner is in custody since 25.04.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail, but after going through the evidences of the victim and her mother, which is annexed as Annexure-2, he submits that no material has come against the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge POCSO, Patna, in connection with Special (POCSO) Case No.266 of 2023, arising out of Beur P.S. Case No.293 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

Mkr./Ankit-

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