

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49534 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- PIRO District- Bhojpur

Ravi @ Ravi Kumar @ Biru Kumar S/o Sanjay Singh R/o Village-Sahejani,
P.S.-Hasan Bazar, District-Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Santosh Kumar S/o Awadhesh Prasad R/V- Sahejani, P.S.- Hasan Bazar,
Distt.-Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravindra Kumar, Advocate
For the Opposite Party/s	:	Mr. Pronoti Singh, APP
For the O.P. No. 2	:	Mr. Rakesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

6 20-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant.

2. The petitioner seeks bail in connection with Piro
P.S. Case No. 38 of 2024 dated 30.01.2024, instituted for the
offence punishable under Sections 363, 366A of the Indian
Penal Code.

3. The allegation against the petitioner is that he
kidnapped the daughter of the informant and pressurized her to
perform marriage with him. It is further alleged that the
petitioner used to tease her and had also threatened her for
which a Panchayati was also called.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the allegation of recovery of the victim from the *Dalan* is a concocted story and the petitioner was not even present there nor has any independent witness of the vicinity come forward to support the prosecution version. There is no eye witness who has seen the petitioner soon before or after the alleged occurrence and even during the course of investigation no independent witness has come forward to support the prosecution version. It is further submitted that from perusal of the FIR, it transpires that she herself went out from the house and was not forced to do so. Even in her statement, she has not alleged anything about outrage her modesty. It is further alleged that victim has been recovered from the Dalan by the police but it has not been alleged that the petitioner was fled away nor there is any recovery memo or any independent witness of the vicinity or village has come forward to support the alleged fact or the prosecution version. It is next submitted that a compromise petition has been filed before the concerned court stating therein that the dispute arose due to some misunderstanding and the dispute has been settled outside the court due to the intervention of friends and well wishers. Lastly, it has been submitted that the petitioner is in custody since



31.01.2024 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge- VI cum Special Judge, POCSO, Bhojpur, Ara in Piro P.S. Case No. 38 of 2024..

7. Learned counsel for the informant has filed the certified copy of compromise petition in Court. Let it be kept on record.

(Khatim Reza, J)

Sankalp/-

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