

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48005 of 2024

Arising Out of PS. Case No.-102 Year-2024 Thana- NAGAR District- Vaishali

Sujit Kumar S/O Batru Das @ Butru Das R/O Mohalla-Masjid
Chowk,Pandriwa,P.S.-Hajipur Town, Distt-Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suraj Kumar Sah S/O Ram Vilas Sah R/O Mohalla-Nakhas Chowk,P.S.-
Hajipur Town, Distt-Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan No. II, Adv. Mr. Pranav Kumar, Adv. Ms Kumari Rupa, Adv.
For the Opposite Party/s :		Mr. Bharat Lal, APP

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

ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Hajipur Town P.S. Case No. 102 of 2024 dated 03.02.2024 registered for the offences punishable under Sections 366A of the Indian Penal Code in which charge-sheet has been submitted under Section 366A and 376 of the Indian Penal Code, under Section 4 of the POCSO Act and under Section 9 of the Child Marriage Act.

3. As per the prosecution case, the informant's daughter went to market at 5:00 PM in the evening. When she did not return to home, the informant and villagers started searching her and then



the informant found her daughter missing and one Sujeet Kumar was also missing.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the petitioner. The petitioner has no concern with the alleged offence. As per opinion of the medical report, her age is assessed as above 22 years. The victim in her statement recorded under Section 164 of the Cr.P.C. has solemnized marriage with her own sweet will. The victim has not stated about sexual assault. The offence under the POSCO Act is not made out. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 27.03.2024.

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

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 Additional Sessions Judge-VI-cum-Special Judge, POCSO, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 102 of 2024, with a 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 bond of the petitioner will liable to be canceled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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