

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51554 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- NAWANAGAR District- Buxar

Birendra Kumar S/O Rajan Kumar @ Rajan Ray R/O Village-Mukund
Dera,Post-Athar,P.S.-Basudeva O.P.(Nawanagar), Distt-Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bira Ray S/O Late Gupteshwar Ray R/O Village-Mukund Dera,Post-Athar,P.S.-Basudeva O.P.(Nawanagar), Distt-Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kumar Ojha, Adv

For the Opposite Party/s : Mr. Umanath Mishra, App

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

ORAL ORDER

2 13-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nawanagar P.S. Case No. 116 of 2024 dated 05.04.2024 registered for the offences punishable u/s 363, 366A of the I.P.C. and Section 8 of the POCSO Act.

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

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. There was love affair between the victim and the petitioner. As per the statement of the victim recorded u/s 164 of Cr. P.C., the victim left her home with her own will. It is further submitted that the victim was not forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.04.2024.

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

6. Considering the aforesaid facts and circumstances of the case and the allegation levelled against the petitioner 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, Buxar in connection with Nawanagar P.S. Case No. 116 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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