

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58544 of 2024

Arising Out of PS. Case No.-159 Year-2024 Thana- PALIGANJ District- Patna

Sonal Kumar @ Monu Kumar @ Monu S/O Bhola Yadav Resident of
Village- Rampur, Nagama, P.S- Paliganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheonandan Pandit

For the Opposite Party/s : Mr.Jai Narain Thakur

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

ORAL ORDER

2 28-08-2024 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 Special POCSO Case No. 115 of 2024 (Paliganj P.S. Case No. 159 of 2024) dated 04.05.2024 registered for the offence/s punishable u/ss 363, 365, 366A of the Indian Penal Code and section 6/8 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 for the purpose wrong doing.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there was love affair between the petitioner and the victim. The victim in her statement recorded u/s 164 of the Cr.P.C. does not support the prosecution case. The



victim was not forced or seduced to have illicit relationship with another person. There is no allegation of sexual assault against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and stated 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, Patna in connection with Special POCSO Case No. 115 of 2024 (Paliganj P.S. Case No. 159 of 2024), with the condition/s:-

(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 is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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