

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60904 of 2024**

Arising Out of PS. Case No.-173 Year-2024 Thana- RAJAPAKAR District- Vaishali

Rajeev Kumar S/O Chandra Kishor Mandal Resident Of Village -Ajijpur  
Chande, Ps- Mahisaur, District- Vaishali

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Ganesh Rai Son Of Shivalak Rai Resident Of Village-Sheikhpura, Ward  
No.-1, P.S.-Rajapakar, District-Vaishali.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shanti Bhushan Singh, Adv.

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

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

**ORAL ORDER**

2      09-09-2024      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 Rajapakar P.S. Case No. 173 of 2024 dated 18.05.2024 registered for the offences punishable u/ss 363, 366A of the Indian Penal Code and u/ss 8 and 12 of the POCSO Act and u/s 3 of the Child marriage Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the daughter of the informant for the purpose of marriage or for some illegal acts.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. As per the statement of the victim recorded u/s 164 of the Cr.P.C. therein she has stated that she went herself with the



petitioner and solemnized marriage with him with her own free will. The Medical Officer examined the victim and they assessed her age is between 17-20 years. It clearly shown that the victim is major and she married with the petitioner with her own sweet will thus, no case is made out of POCSO Act and Child Marriage Act against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.06.2024.

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 as well as the materials available on record, 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, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 173 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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