

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60959 of 2024

Arising Out of PS. Case No.-164 Year-2023 Thana- BIHTA District- Patna

Raushan Kumar Son Of Sri Mintu Pandit Resident Of Village - Jahangirpur
Salkhani, P.S. - Mahua, District -VAISHALI At Present Mahaveer Nagar, P.S.
- Bihta, District - Patna

... .. Petitioner

Versus

1. The State Of Bihar
2. Gorakh Sao Son Of Om Prakash Sao Resident Of Mahabir Nagar Behind
Bandhan Bank, P.S. - Bihta, District - Patna

... .. Opposite Partys

Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritweik Kr. Thakur, Advocate
For the Opposite Party	:	Mr. Ashok Kumar Singh, APP

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

ORAL ORDER

2 10-09-2024 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 Bihta P.S. Case No. 164/2023 dated 16.02.2023 registered for the offence punishable u/s 363 and 366A of the Indian Penal Code and subsequently section 376 of the IPC and Section 4/5, 4/6 of the POCSO were added.

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



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The victim in her statements recorded u/s 161 and 164 of the Cr.P.C. has stated that she left her house with her own will and she has started living with the petitioner. As per para. 21 of the case diary, the victim has stated that she has solemnized marriage with the petitioner. Learned counsel further submitted that the victim was not forced or seduced 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 16.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting 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 Bihta P.S. Case No. 164/2023, with the 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 is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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