

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62154 of 2024

Arising Out of PS. Case No.-152 Year-2024 Thana- JANDAHA District- Vaishali

=====

Rajan Kumar Son Of Lakhindra Ram Resident Of Village- Soharathi, P.S.-
Mahisour (Jandaha), District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sribati Devi W/O Sanjeet Paswan R/O And P.O.- Soharathi, P.S.- Mahisour
(Jandaha), District- Vaishali.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Nafisu Zzoha

For the Opposite Party/s : Mr.Sucheta Yadav

=====

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

ORAL ORDER

2 18-09-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jandaha (Mahisaur) P.S. Case No. 152 of 2024 dated 11.05.2024 registered for the offences punishable u/s 363, 366 read with Section 34 of the Indian Penal Code and later on chargesheet was submitted u/s 363, 366A of Indian Penal Code and Section 8 of POCSO Act.

3. As per the prosecution case, informant's minor daughter had gone to attend the call of nature but she did not return. On intense search, the informant came to know that



petitioner has kidnapped her with malice intention.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case merely on the basis of suspicion. There is an inordinate delay of seven days in lodging the F.I.R. The informant is not the eye witness of the alleged offence. From perusal of the impugned order it appears that victim has not whispered about the complicity of petitioner in her kidnapping. She stated that she suo-motto left her house on 3rd of May, 2024 and went to her friend's house. Thereafter, she returned on 11.05.2024. There is general and omnibus allegation against the petitioner. There is no any complaint of sexual assault with her. A statement has been made in para 3 of the petition that petitioner has no criminal antecedents. Moreover, he is languishing in judicial custody since. 14.05.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and submitted that victim is minor.

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, Vaishali, Hajipur in connection with Jandaha (Mahisaur) P.S. Case No. 152 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Nirajkrs/-

U		T	
---	--	---	--

