

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62771 of 2024

Arising Out of PS. Case No.-306 Year-2024 Thana- OBRA District- Aurangabad

Suraj Kumar Son of Dinesh Paswan Resident of village - Dadnapur, P.S.-
Guraru, District - Gaya (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Kumari Daughter of Sunil Prasad Resident of village - Bihari
Bigha, P.O.- Sonbarsha, P.S.- Obra, District - Aurangabad (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal
For the Opposite Party/s : Mr.Navin Kumar Pandey

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

ORAL ORDER

2 23-09-2024 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 Obra P.S. Case No. 306 of 2024 dated 09.07.2024 registered for the offences punishable u/s 96, 3(5) of the Bhartiya Nyay Sanhita, 2023 and Sections 8, 12 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor sister of the informant.

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 during the course of



investigation, the victim girl was sent for medical examination, but she voluntarily denied for the same. It is further submitted that victim has stated in her statement recorded u/s 164 of Cr.P.C. that she went with the petitioner with her own sweet will and there is no complicity of petitioner in her elopement. There was love affair between them. She was not forced or seduce to have sexual intercourse with another person. A statement has been made in para 3 of the petition that petitioner has clean antecedent. Moreover, he is languishing in judicial custody since 28.07.2024.

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 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, Aurangabad in connection with Obra P.S. Case No. 306 of 2024 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)

Nirajkrs/-

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