

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66852 of 2024

Arising Out of PS. Case No.-309 Year-2024 Thana- HARSIDHI District- East Champaran

Rahul Kumar Son of Bhagwan Sahani Resident of Village - Jagapakad, P.S. -
Harsidhi, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sukat Sahani S/O Ram Surat Sahani R/O Village- Jogapakad, P.S- Harsidhi,
Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shatrughna Pandey
For the Opposite Party/s	:	Mr.Shailendra Kumar Singh
For the Informant	:	Mr. Dharendra Kumar

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

ORAL ORDER

3 16-12-2024 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 Harsidhi P.S. Case No. 309/2024 dated 07.06.2024 registered for the offence punishable u/s 363 and 366A read with 34 of the Indian Penal Code and Sections 8 and 12 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 of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case on account of village politics. There is no allegation of any sexual assault against the petitioner. There is nothing on record which shows that the victim was forced or seduced to have illicit intercourse with another person. As per the Medical Report, no spermatozoa was found. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.06.2024.

5. Learned A.P.P. for the State as well as learned counsel for the informant have vehemently opposed the bail petition of the petitioner. The victim in her statement recorded u/s 164 of the Cr.P.C. has supported the prosecution case.

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, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 309/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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