

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75680 of 2023

Arising Out of PS. Case No.-41 Year-2023 Thana- BARABAR TOURIST District- Jehanabad

Ranjan Kumar Gupta @ Ranjan Kumar S/O Sambhu Saran @ Sambhu Saran
Gupta Resident Of Village- Dharaut, P.S- Barabar Tourism (BISHUNGANJ
O.P), Distt.- Jehanabad.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 08-04-2024 Heard learned counsel for the petitioner and
learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in POCSO Case No.
64/2023 (in Barabar Prayatak Bishunganj O.P.) P.S. case
No. 41 of 2023 instituted for the offences under Sections
363, 366(A) of the Indian Penal Code.

3. Prosecution allegation, in short, is that the
daughter of the informant left the house for bazar and later
when she did not return, the informant inquired and got
information that she was seen with the petitioner. The
informant suspects that the petitioner might have enticed
away with his daughter.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Charge-sheet has been submitted in this case under Sections 366, 366A and 376 of the Indian Penal Code and under POCSO Act. On recovery, the statement of the victim has been recorded under Section 164 Cr.P.C. in which she has not supported the allegation made in the F.I.R. and stated nothing about anyone and further that she left the house out of her own sweet will. In the medical report, the aged of the victim was assessed to be between 18-20 years and nothing has come against the petitioner. There is also a delay of 10 days in lodging the F.I.R. and further that there is subsisting land dispute between the parties. Charge has already been framed in this case. The petitioner is in custody since 19.04.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner, charge being framed, medical report and



the fact that in Section 164 Cr.P.C. statement, the victim has not supported the allegation made in the F.I.R., this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with POCSO Case No. 64/2023 (in Barabar Prayatak Bishunganj O.P.) P.S. case No. 41 of 2023.

(Rudra Prakash Mishra, J)

Pankaj/-

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

