

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77312 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- DEOKUND District- Aurangabad

VICKY KUMAR Son of Sri Udeep Ram R/o vill - Raypur Bandhawa, Post -
Rampur Chay, P.S. - Deokund, District - Haspura Aurangabad, Bihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Mr. X NA NA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 13-03-2024 Heard learned counsel for the parties.

2. The petitioner seeks regular bail in connection with Deokund P.S. Case No. 40 of 2023 registered for the offence under Section 366(A) of IPC and Sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the allegation against the petitioner is that he alongwith other co-accused person lured and kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. He is custody since 20.07.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR and impugned order dated 30.09.2023 passed by learned Additional Sessions Judge – cum – Exclusive Special Judge, POCSO Act, Aurangabad, Bihar, it appears that on the basis of written report of informant FIR was lodged under Sections 8 and 12 of POCSO Act against two accused person including the petitioner for kidnapping and for murder of the daughter of the informant. During investigation victim was examined and her statement was recorded under Section 161 of Cr.P.C. by investigating officer and her statement under Section 164 Cr.P.C. also recorded by learned Magistrate in which she has stated that no any wrongful act was committed against her, she has left her house with her own will. No statement was recorded regarding kidnapping or other offence against the petitioner under Section 161 of Cr.P.C. Considering the aforesaid facts and circumstances of the case and also taking into account the period of custody, let the petitioner, above named, 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 learned Additional Sessions Judge
Vith – cum – Exclusive Special Judge, POCSO Act, Aurangabad
Bihar, in connection with Deokund P.S. Case No. 40 of 2023.

(Ramesh Chand Malviya, J)

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