

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3767 of 2025

Arising Out of PS. Case No.-826 Year-2024 Thana- DANAPUR District- Patna

Golu Kumar S/O Late Kallu Prasad R/O Vill.- Jhakhari Mahadew Road
Danapur, (R.K. Chaube Road), P.S.- Danapur, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi W/O Pramod Kumar R/O Mohalla- Panchshil Nagar (in side of
Panchdew Mandir), P.S.- Danapur, Dist.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Danapur P.S. Case No. 826 of 2024, dated 02-09-2024 instituted
for the offence punishable under Sections 137(2), 96 of the
B.N.S. 2023 and Sections 4 and 8 of the POCSO Act..

3. As per the allegations in the FIR, on 02-09-2024,
informant's 12 -year-old daughter left for school at 7.30 AM but
did not return by 12.30 PM. The informant has alleged that the
petitioner, a tenant residing on rent in R.K. Chaubey road and
engaged as an E-rickshaw driver, has taken her daughter to an
unknown place.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the F.I.R. was lodged on 02-09-2024 in the evening on the same day. The victim was recovered on the same day and her statement was subsequently recorded before the learned Magistrate on 03-09-2024 under Section 183 of the B.N.N.S. In her statement, the victim did not make any allegations against the petitioner, rather she specifically stated that she wants to marry the petitioner and that both like each other. The petitioner is aged about 19 years and has been in custody since 13-11-2024, having no criminal antecedents.

5. Earlier, notice was issued to the opposite party no.2. However, no one appeared on her behalf and no '*Vakalatnama*' was filed.

6. Learned A.P.P. has opposed the prayer for bail of the petitioner by submitting that the victim is a 12-year-old minor.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional Sessions Judge
7th-cum- Special Judge (POCSO) Patna in connection with
Special (POCSO) Case No. 322 of 2024 arising out of Danapur
PS Case No. 826 of 2024.

8. The application stands allowed.

(Khatim Reza, J)

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