

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11450 of 2025

Arising Out of PS. Case No.-156 Year-2024 Thana- LALGANJ District- Vaishali

Kishun Kumar Son of Dasrath Rai Resident of village- Manikpur Pakri,
Police Station- Lalganj in the district of Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mukesh Kumar Son of Shyam Babu Tiwari Resident of village- Manikpur Pakri, Police Station- Lalganj in the district of Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 02-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Lalganj P.S. Case No. 156 of 2024 registered for the offences under Section 363 and 366A/34 of the Indian Penal Code.

3. As per prosecution case, the minor daughter of the informant was kidnapped by the petitioner and other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The statement of victim girl was recorded under Section



164 Cr.P.C. wherein she has stated that the petitioner enticed her away and went to Gujarat where she was kept for 1 month 4 days and had confined her and the petitioner left her there and went away. She has also stated that she knew the petitioner for 2-3 years. Learned counsel further submits that in fact there was love affair between the petitioner and the victim girl and she herself went with the petitioner and it is not believable that she was enticed away by the petitioner. Further, in her statement recorded under Section 164 Cr.P.C. she has not alleged any wrong doing on part of the petitioner or about any sexual assault. Petitioner is a 20 years old boy and is having clean antecedent. Petitioner is in custody since 12.08.2024 and charge-sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that victim girl is minor and aged about 15 years and taking advantage of her immaturity, she was enticed away by this petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner coupled with his period of custody and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of



Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VI-cum-Special Judge, POCSO, Vaishali at Hajipur/concerned court in connection with Lalganj P.S. Case No. 156 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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