

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11603 of 2025

Arising Out of PS. Case No.-336 Year-2023 Thana- DULHIN BAZAR District- Patna

Chandan Kumar S/O Balbir Yadav Resident of village - Nizampur (Singhara),
Police Station - Dulhin Bazar, Dist- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mohi Lal Yadav S/o Shirnandan Yadav R/o vill and P.O.- Singhara, P.S.-
Dulhin Bazar, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 363 and
366(A) of the Indian Penal Code.

3. The case of the prosecution is that the daughter of
the informant had gone to school and when she was returning, in
the way Golu Kumar in connivance with Akash Kumar took her
away with an intention to perform marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Moreover, the petitioner is languishing in judicial custody



since 16.10.2023 having no criminal antecedent.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. During the course of investigation, the victim has given her statement under Section 161 and 164 of the Cr.P.C. as well. In her statement under section 164 of the Cr.P.C. she has stated that while she was returning from school, three boys forcefully brought her on a bike and after sometime Chandan Kumar and Sujit Kumar got down and Golu Kumar took her away. He told him nothing will happen. After that he took her to Agra and Bangalore. When she was started crying, they came back to Patna. In the statement under section 164 of the Cr.P.C., she has stated the same thing.

7. So far as the petitioner role is concerned, it is alleged that he has taken the victim on the bike after that they went to Agra and Bangalore but in the meanwhile she did not raise alarm as there is no allegation that any sexual assault was made by the petitioner even the victim herself has refused to get her medical examination.

8. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on



bail in connection with Spl. (POCSO) Case No. 293 of 2024 arising out of Dulhin Bazar P.S. Case No. 336 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge cum Special Judge, POCSO, Patna.

(Ashok Kumar Pandey, J)

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