

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12106 of 2025

Arising Out of PS. Case No.-174 Year-2022 Thana- KHUDAGANJ District- Nalanda

Sumit Kumar @ Karu Kumar S/o Anuj Kumar R/o Village - Kochra, PS -
Khudaganj, Distt.- Nalanda, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ramashray Prasad S/o Late Shiv Yadav R/o vill- Kochra, P.S.- Khudaganj,
Distt.- Nalanda, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awnish Kumar, Advocate

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 16-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Khudaganj P.S. Case No. 174 of 2022 registered for the offences
under Sections 341, 323, 504, 427, 506, 354 and 34 of the
Indian Penal Code.

3. As per the prosecution case, the petitioner is said to
have caught the minor daughter of the informant and tried to
take her away and on seeing the informant's wife, he fled away.

4. At the outset, the leaned counsel for the petitioner
submits that *vide* order dated 10.01.2025 passed in Cr. Misc.
No. 66579 of 2024, this Hon'ble Court had granted liberty to



the petitioner to renew his prayer for bail after completion of deposition of the informant. The learned counsel further submits that the said deposition has been brought on record by way of Annexure P3 which confirms that the informant has already been examined in the present case as PW 1. The learned counsel submits that as far as the allegations are concerned, the same is concocted and only to settle personal dispute, the petitioner has falsely been implicated in the present case. It is lastly submitted that the petitioner is in custody since 08.08.2024 and has got no criminal antecedent.

5. The learned Additional Public Prosecutor for the State has opposed the prayer for bail.

6. Considering the aforesaid submissions made by the respective parties and taking into account that the petitioner was granted liberty to renew his prayer for bail after completion of deposition of the informant which has been completed, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VII-cum-Special Judge POCSO, Bihar Sharif (Nalanda) in connection Khudaganj P.S. Case No. 174 of 2022 subject to the conditions that



1. One of the bailors of the petitioner shall be her close relative.

2. The petitioner shall remain physically present in Court on each date of the trial.

3. The petitioner shall not approach the informant or any of the family members or the victim girl to either coerce or threaten during the pendency of the trial.

3. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

4. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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