

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12805 of 2025

Arising Out of PS. Case No.-640 Year-2023 Thana- PALIGANJ District- Patna

Deepak Kumar Son of Arvind Verma @ Arvind Kumar Singh R/o Nagla, P.S.-
Kinjar, District - Arwal

... .. Petitioner/s

Versus

1. The State of Bihar
2. Radha Devi Wife of Sanoj Kumar R/o Nagla, P.S.- Kinjar, District - Arwal

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 27-06-2025 Heard Mr. Patanjali Rishi, learned counsel for the

petitioner and Mr. Manoj Kumar, learned Additional Public

Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
21.09.2024 in connection with Special Case No. 12 of 2025
arising out of Paliganj P.S. Case No. 640 of 2023, F.I.R. dated
17.12.2023 for the offences punishable under Sections 366A,
363/34 of the Indian Penal Code but the police have submitted
charge sheet under Section 366A of the Indian Penal Code and
Section 8 of the POCSO Act.

3. According to prosecution case, the informant
suspects that this petitioner along with other accused persons
have abducted her minor daughter.



4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. In fact the petitioner was in love with the victim and they have performed marriage. He further submits that the victim was recovered and her statement was recorded under Section 164 of the Cr.P.C. / Section 183 of the BNSS in which she has categorically stated that she has performed marriage with the petitioner in February, 2023. Apart from that the victim is deponent of the present application. The petitioner is in custody since 21.09.2024.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is namedn in the FIR and apart from that there is direct and specific allegation that he has abducted the victim. He further submits that the petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances that the victim was recovered and her statement was recorded Section 164 of the Cr.P.C. / Section 183 of the BNSS in which she has categorically stated that she has performed marriage



with the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO, Patna in connection with Special Case No. 12 of 2025 arising out of Paliganj P.S. Case No. 640 of 2023, subject to the following conditions:-

i. One of the bailors shall be the victim, namely, Saloni Kumari.

ii. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

iii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iv. 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.

(Rajesh Kumar Verma, J)

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