

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19031 of 2025

Arising Out of PS. Case No.-646 Year-2024 Thana- JAHANABAD District- Jehanabad

Karan Ram @ Karan Kumar Son of Dharmendra Prasad @ Dharmendra Ram
@ Dharmendra Kumar @ Dharmendra Prasad Resident of Village- Guha Pakar,
P.S.- Korauna (Jehanabad), Distt.- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manish Kumar Son of Late Akhilesh Prasad Resident of Village- Daulatpur,
P.S.- Korauna (Jehanabad), Distt.- Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 06-08-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Jehanabad P.S. Case No. 646 of 2024 registered for the
offence under Sections 87, 96, 352, 351(2), 2(3) and 3(5) of
BNS and section 4 and 8 of POCSO Act.

3. The petitioner is named in the F.I.R. and is in
custody since 21.08.2024.

4. The allegation against the petitioner is to kidnap
the minor daughter of informant aged about 15-16 years,
student of class 9 and thereafter committed rape/ penetrative
sexual assault upon her.



5. Learned counsel appearing on behalf of the petitioner submitted that statement of victim was recorded after her recovery under Section 183 of the BNSS, where she categorically stated that she was in love with petitioner, and her friendship with petitioner developed through social media like Instagram. It is submitted that out of said acquaintance and love she went together to Delhi but lodging of present case she returned. Victim completely negated the allegation of rape/ penetrative sexual assault. Beside aforesaid, it is further pointed out that petitioner remains in custody since 21.08.2024, almost about a year and in this case not even victim was examined who otherwise mandatory to be examined within one month of cognizance, in view of Section 35(1) of POCSO Act. It is submitted that till date only one prosecution witness i.e., mother of the victim was examined. The delay in trial categorically suggest that same cannot be conclude within prescribed time as available under Section 35(2) of POCSO Act. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, as such,



there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as victim categorically negate the allegation of kidnapping and rape/ penetrative sexual assault against petitioner, coupled with fact that petitioner remains in custody since 21.08.2024, accordingly petitioner above named, is directed to be released on bail in connection with Jehanabad P.S. Case No. 646 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. District and Sessions Judge VI cum Special Judge (POCSO) Act, Jehanabad /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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