

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20405 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- VALMIKINAGAR District- West
Champaran

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Pardeshi Ram @ Pardeshi Kumar Son of Badelal Ram Resident of Village -
Rampurwa Harijan Tola, P.S. - Valmikinagar, District - West Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Sri Kant Sah Gond Son of Late Nathuni Gond Resident of Village -
Rampurwa, P.S. - Valmikinagar, District - West Champaran

... .. Opposite Party

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Appearance :
For the Petitioner : Mr.Ashok Kumar Gupta, Advocate
For the Opposite Party : Mr.Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 28-07-2025 It appears that affidavit regarding jointness of

opposite party no. 2 was filed by the petitioner, which is

available at **Flag 'J'**.

2. In view of the aforesaid, notice deemed to be

validly served upon the informant/O.P. No. 2.

3. Heard learned counsel appearing on behalf of

the petitioner and learned A.P.P. for the State.

4. Petitioner seeks bail in connection with

Valmikinagar P.S. Case No. 12 of 2024 registered for the

offences under Sections 366(A), 379, 323, 504/34 of the



Indian Penal Code and later on section 366(A) and 4 of the POCSO Act were added.

5. The petitioner is named in the First Information Report and is in custody since 31.08.2024.

6. Allegation against the petitioner is to kidnap the minor daughter of the informant aged about 14 years along with other accused persons/family members for the purpose of illicit intercourse or seduced/forced her to enter into the marriage with another person.

7. It is submitted by learned counsel appearing on behalf of the petitioner that the victim, after recovery, while recording her statement under section 164 Cr.P.C., stated that she was in love affairs with the petitioner namely, Pardeshi Ram since last four years.

8. It is submitted that due to said affairs, she was brutally assaulted on several occasions by her parents and finally due to said reason, on 12.02.2024, she left her home on her own and solemnized marriage with the petitioner in a temple at Ramnagar.



9. It is submitted that upon medical examination, no injury was found in or around the private parts of the victim, *prima facie* negating the occurrence.

10. While concluding argument, it is submitted that investigation of this case is already completed and as such, there is no chance of tampering with the evidence. Petitioner is said to be a man of clean antecedent.

11. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

12. Considering the factual submission as mentioned above and by taking note of the fact as victim through her statement recorded under section 164 Cr.P.C. completely denied the allegation of rape and kidnapping *qua* petitioner, coupled with the fact that petitioner is in custody since 31.08.2024, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District &



Sessions Judge-cum-Special Judge-VII, POCSO, West Champaran, Bettiah, in connection with Valmikinagar P.S. Case No. 12 of 2024, subject to the condition as laid down under Section 437 (3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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