

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22467 of 2025

Arising Out of PS. Case No.-256 Year-2023 Thana- RAGHUNATHPUR District- Siwan

Ajay Ram @ Ajay Kumar Ram S/o- Ramjit Ram Village- Amwari, P. S -
Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gayatri Devi W/o- Shambhu Pandit Village- Amwari, Ps- Raghunathpur
Dist- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate
For the State : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Raghunathpur P.S. Case No. 256 of 2023 instituted under
Sections 363 and 366(A) of the Indian Penal Code and Section
8/17 of the POCSO Act.

3. As per the prosecution case, when the daughter of
the informant went for Intermediate examination at Ramanand
High School, co-accused Abhishek Kumar kidnapped her for the
purpose of marriage. It is further alleged that petitioner and one
other co-accused helped in kidnapping of the daughter of the
informant.



4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He further submits that the FIR has been lodged after six days of the alleged occurrence and only on the basis of suspicion, the name of the petitioner has been implicated in this case due to being the co-villager. The specific allegation is against the co-accused Abhishek Kumar. He further submits that petitioner has no criminal antecedent and he undertakes to cooperate in the investigation and the trial. He further submits that similarly situated co-accused person has already been enlarged on bail by a co-ordinate Bench of this Court vide order dated 31.07.2024 passed in Cr. Misc. No. 26006 of 2024.

5. Learned A.P.P. for the State opposes the prayer of the petitioner for anticipatory bail.

6. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court below, in connection with



Raghunathpur P.S. Case No. 256 of 2023, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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