

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27522 of 2025

Arising Out of PS. Case No.-501 Year-2024 Thana- MAHUA District- Vaishali

Rahul Kumar, aged about 22 years, Male, S/O Vijay Sharma @ Vijay Kumar Sharma @ Vijay Kumar R/O Village- Saidpur (Mukundpur) Mahua, P.S- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Ray W/O Nawla Ray R/O Village- Tajpur Buzurg, P.S- Mahua, Distt.- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Advocate
For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-08-2025 Heard Mr. Ranjit Kumar Thakur, learned counsel appearing on behalf of the petitioner and Mr.Arun Kumar, learned APP for the State.

2. Petitioner seeks regular bail in connection with Mahua P.S. Case No. 501/2024 registered for the offences punishable under Sections 363,366A,34 of the Indian Penal Code and Sections 4 and 6 of POSCO Act.

3. As per the allegation made in the FIR, the accused persons including the petitioner allegedly kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent, aged about 22



years and he was in love relationship with the victim and has not forcibly kidnapped her, rather the victim girl willingly went with the petitioner. Statement of the victim was recorded under Section 164 Cr.P.C. in which she has stated that she willingly went with the petitioner and thereafter they married with each-other and now she wants to live with the petitioner. Petitioner has clean antecedent and is in custody since 18.07.2024.

6. Learned APP for the State also vehemently opposed the prayer for grant of bail.

7. Having considered the rival submissions made on behalf of the parties, as well as, the fact that in her statement recorded under Section 164 Cr.P.C., the victim girl has stated that she willingly went with the petitioner and thereafter they married with each-other and now she wants to live with the petitioner, the learned District Court is directed to release the petitioner, above named, on bail upon furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-6th -cum- Special Judge, POCSO, Vaishali at Hajipur in connection with Mahua P.S. Case No. 501/2024 subject to the following conditions:

(i) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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