

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26134 of 2025

Arising Out of PS. Case No.-864 Year-2023 Thana- MOTIHARI MUFASIL District- East
Champaran

Neeraj Kumar S/O Suresh Rai @ Suresh Ray R/O Vill.- Bairiya, Ward no. 41,
P.S.- Mufasil, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Vinay Rai S/O Late Ramashish Rai R/O Vill.- Chandrahiya, P.S.- Mufasil,
Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Adv.

For the Opposite Party/s : Mr.Renuka Ratnakar (App.125)

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Muffasil P.S. Case No. 864 of 2023 dated 07.12.2023 registered for the offences punishable u/ss 341, 323, 363, 366A read with Section 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 04.12.2023 but the F.I.R. was lodged on 07.12.2023 and there is no explanation for this delay. The victim in her statement recorded u/s 164 of the Cr.P.C. has stated that she had left her parental home with her own will and went to Bangalore



with the petitioner and had also solemnized marriage with the petitioner. The victim girl has further alleged that she had started living with the petitioner in Bangalore and they are blessed with two months old child out of that relationship. It is further submitted that there is nothing on record which shows that the victim was forced or seduced to have illicit intercourse with another person. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.02.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran, Bihar in connection with Muffasil P.S. Case No. 864 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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