

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26849 of 2025

Arising Out of PS. Case No.-108 Year-2024 Thana- CHHATAUNI District- East Champaran

Masoom Ali @ Masoom Son of Raju Hussain @ Raju Dhobi Ro Village
-Amlapatti Chikpatti, PS -Town, District -East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashda Praveen Wife of Mokaram Sahil village- Mathurapur, Ps-
Turkauliya, Dist- East Champaran P/A- IN Gali of House of Md. Ekhlak In-
front of Bazar Branch, Bank of India, Ps- chhatauni, Dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar
For the State	:	Mr. Uday Pratap Singh
For the Informant	:	Mr. Manjeet Kumar Mishra

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. This application is for grant of regular bail arises
out of Chhatauni P.S. Case No.108 of 2024, registered for the
offences under Sections 363, 34, 366A, 376 of the Indian Penal
Code and Section 4 of the POCSO Act.

3. The petitioner is in custody since 21.04.2024 and
he claims clean antecedent.

4. From the records of the case and from the state-
ment of the victim girl recorded under Section 161 of Cr.PC, it
appears that she had eloped with the petitioner.

5. Learned counsel for the informant has relied



upon the statement of the victim in which she has said that she was taken to Nepal and she was kept in a hotel and was raped.

6. The statement under Section 161 of Cr.PC has been recorded just after her recovery i.e. on 01.03.2024 whereas statement under Section 164 of Cr.PC has been recorded on 05.03.2024 i.e. after she remained with her family. It appears that she has improved her statement recorded under Section 161 of Cr.PC.

5. In view of the aforesaid facts and circumstances of the case, this application is allowed.

6. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO), District & Additional Session Judge, East Champaran, Motihari/concerned Court below, in connection with Chhatauni P.S. Case No.108 of 2024.

(Sandeep Kumar, J)

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