

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30425 of 2025

Arising Out of PS. Case No.-411 Year-2024 Thana- DAUDNAGAR District- Aurangabad

Ganesh Patel @ Ganesh Kumar S/O Baban Chaudhari Resident Of Village-
Tenda, Ps- Chhattarpur, District- Palamu Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lakshminiya Devi W/o Ramji Chandravanshi R/o ward no. 11, Daudnagar
Suthati Gali, P.S.- Daudnagar, Distt.- Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar Singh, Advocate
For the State : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned

APP representing the State as also learned counsel representing

the State.

2. The petitioner is in custody in connection with
Daudnagar P.S. Case No. 411 of 2024 for the offence punishable
under sections 137(2) and 96 of the Bharatiya Nyaya Sanhita
and section 12 of the POCSO Act, lodged on 11.07.2024 by the
informant, Lakshminiya Devi.

3. As per the prosecution story, the informant alleged
that the victim girl went out to visit maternal grandmother but
upon enquiry, it was informed that she has not reached there. As
this petitioner had threatened her that soon he will be



kidnapping her daughter, on suspicion the F.I.R.

4. Earlier the coordinate Bench had called for the case diary and statement of the victim girl on 15.05.2025 which are on record.

5. Learned counsel for the petitioner submits that they were in relationship but the girl moved on her own to Gujarat, the petitioner informed the same to the informant's family and later while the girl was taken away by the parents, he has been arrested.

6. Learned counsel representing the informant opposes the prayer submitting that the girl is minor and the petitioner lured her to Gujarat.

7. The statement of the victim girl is on record, according to which she went on her own to Gujarat, is in relationship with the boy and as per the second statement before the court she has narrated that once she became a majorhood, shall be solemnizing marriage with this petitioner.

8. Considering the aforesaid facts as also the petitioner having no criminal antecedent and he is in custody since 04.10.2024, in that background, this Court is inclined to extend him the privilege of bail.

9. Let the petitioner be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Exclusive Judge (POCSO), Aurangabad, in connection with Daudnagar P.S. Case No. 411 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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