

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42808 of 2025

Arising Out of PS. Case No.-81 Year-2024 Thana- Hathiyav District- Sheikhpura

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Raushan Kumar S/o Sunil Yadav R/o Vill- Khalaspur, P.S.- Hathiyawan,
Distt- Sheikhpura Petitioner/s

Versus

1. The State of Bihar Bihar
 2. Tripurari Mahto S/o Late Misri Mahto R/o Vill- Gawai, P.S.- Hathiyawan,
Distt- Sheikhpura Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr.Dinkar Kumar, Advocate
For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 01-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 137 (2), 96, 3 (5) of the BNS.

3. The case of the prosecution is that the petitioner kidnapped the minor daughter of the informant. During the course of investigation, the victim has given her statement under Section 183 of the BNSS wherein she has stated that she left home voluntarily and met he petitioner afterwards. They travelled together to Patna by train, then to Delhi and later to Surat where nothing objectionable took place. Eventually, the uncle of the petitioner contacted them and both were handed over to police station.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is contended that from perusal of the statement of the victim itself, it is clear that she has not named anybody rather she has only stated that she went with the petitioner voluntarily without any force being used. Moreover, the petitioner is languishing in judicial custody since 01.03.2025 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with POCSO Case No. 25 of 2025 arising out of Hathiyawan P.S. Case No. 81 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge -cum- Exclusive Spl. Judge (POCSO), Sheikhpura.

(Ashok Kumar Pandey, J)

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