

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40558 of 2025

Arising Out of PS. Case No.-667 Year-2024 Thana- RAJIVNAGAR District- Patna

Sonu Kumar son of Rakesh Kumar Singh @ Rakesh Kumar Village -Masarhi
Police Station -Gaurichak District- Patna P/A- Patel nagar, Baba Chauk, Road
no. 7, Ps- Patliputra, Dist- patna

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Sushma Kumari Daughter of Mewalal Ray village- Pipra, Ps- Maduban,
Dist- Motihari At P/A- A.G. Colony, Near Bank of India, Ps- Shastrinagar,
Dist- Patna

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Parmanand Kumar, APP

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

ORAL ORDER

2 19-08-2025 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 Rajiv Nagar P.S. Case No. 667 of 2024 dated
02.11.2024 corresponding to Special (POCSO) Case No. 314/2024
registered for the offences punishable under Sections 64 read with
Section 3(5) of the B.N.S., 2023, Sections 4, 6, 8 and 12 of the
POCSO Act and Sections 4 and 5 of the Immoral Trafficking
(Prevention) Act.

3. As per the prosecution case, the co-accused, Savala
Devi is running sex racket alongwith the co-accused persons in
which she sent her step minor daughter to get herself involved in
prostitution work in lure of money due to which, the co-accused
Rinku Devi along with the petitioner took away her daughter in a



hotel, where the heinous crime of rape was committed with her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. There is general and omnibus allegation against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no direct relation with the informant's family and he has been made accused in this case only because they reside in the same locality. The petitioner is not a family member of the informant and he has no concern with the alleged offence. The charge-sheet has been submitted against the petitioner on 13.01.2025 and the cognizance has been taken on 31.01.2025 as stated in para 12 of the bail petition. The co-accused person has already been granted regular bail by this court vide order dated 14.05.2025 passed in Cr. Misc. No. 19416/2025. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 03.11.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for 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, Patna in connection with Rajiv Nagar P.S. Case No. 667 of 2024 corresponding to Special (POCSO) Case No. 314/2024 with the conditions :-

- (i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.*
- (ii) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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