

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38138 of 2025

Arising Out of PS. Case No.-285 Year-2023 Thana- DUMRA District- Sitamarhi

Raushan Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 25-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Dumra P.S. Case No. 285 of 2023 registered for the offences under Sections 363, 366(A) and 34 of the IPC and Section 8 of the POCSO Act .

3. The petitioner is named in the F.I.R. and is in custody since 25.03.2025.

4. The allegation against the petitioner is to kidnap the minor daughter of informant aged about 14 years for the purposed of illicit intercourse/marriage.

5. Learned counsel appearing on behalf of the petitioner submitted that though victim supported the occurrence, but during her examination before learned Trial Court she negated allegation of kidnapping and sexual assault rather she categorically stated



that she solemnized her marriage with petitioner and living happily. While concluding the argument it is submitted that till now only examination of victim was done by the learned Trial Court, despite the fact that petitioner remains in custody for about 8 months, which is sufficient to suggest that trial is not likely to conclude within preferred timeline as provisioned under Section 35(2) of the POCSO Act.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. Informant was informed regarding present pending proceedings and for the said police report is submitted across the board, which was taken on record. Despite of service none appeared on behalf of informant.

8. In view of aforesaid factual submission and by taking note of fact as progress of trial prima-facie suggest that same is not likely to conclude within provisioned timeline as available under Section 35(2) of the POCSO Act as discussed aforesaid, coupled with the fact as petitioner remains in custody since 25.03.2025, accordingly above named petitioner, is directed to be released on bail in connection with Dumra P.S. Case No. 285 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Sessions Judge VI-cum-Special Judge (POCSO Act),
Sitamarhi/concerned court, subject to the conditions as mentioned
under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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