

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39156 of 2025

Arising Out of PS. Case No.-273 Year-2024 Thana- RAUTA District- Purnia

Shabab @ Sabab S/O Md. Mamanun Resident of village- Palankaph, Police
Station- Angarh(Anghad), district- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Azam Alam S/O Aneshul Rahman R/O Village- Charini, PS- Rauta, Distt-
Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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

ORAL ORDER

2 07-07-2025 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 in connection with Rauta P.S. Case No. 273/2024 dated 05.12.2024 registered for the offence punishable u/s 137(2), 87, 96 read with Section 3(5) of the B.N.S. and Section 10 of the POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is nothing on record which shows that the victim was forced or seduced to have illicit



intercourse with another person. As per Annexure-2, the victim in her statement recorded u/s 180 of the B.N.S.S. has stated that she went with the petitioner of her own will and has solemnized marriage with the petitioner. As per Annexure-3, the age of the victim is assessed between 14-18 years and there is no evidence to suggest any forced sexual assault on the victim. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 10.01.2025

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl.

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, Purnea in connection with Rauta P.S. Case No. 273/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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