

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48432 of 2025

Arising Out of PS. Case No.-1041 Year-2023 Thana- MAJHAULIA District- West
Champaran

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Krishna Kumar, S/o Shivlochan Paswan R/o vill- Semara Virt no 10, P.S.-
Majhauriya, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gyatri Devi W/o Ramesh Paswan R/o vill - Semra virt, ward no. 10, P.s. -
Majhauriya, Dist.- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Majhauriya P.S. Case No. 1041 of 2023 dated 01.12.2023
instituted for the offence punishable under Sections 363,
366A/34 of the Indian Penal Code and Section 8, 12 of the
POCSO Act.

3. Allegation against the petitioner is that he along
with other accused persons kidnapped the daughter of the
informant when she was going to coaching from her house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this



case. Learned counsel for the petitioner submits that while rejecting the prayer for anticipatory bail of the petitioner vide order dated 06.02.2025 passed in Criminal Miscellaneous No. 62926 of 2024 by a Co-ordinate Bench of this Court, has observed that statement of the victim recorded under Section 164 Cr.P.C. was recorded in which the victim has not supported the case of the prosecution rather she has stated that she on her own volition had left her house and eloped with the petitioner and married to him. When she came to know that a case has been instituted against the petitioner, she came back and got her statement recorded. Learned counsel for the petitioner further submits that the petitioner is young boy aged about 22 years. Lastly, it has been submitted that the petitioner is in custody since 13.05.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 6th cum Special



Judge (POCSO), West Champaran at Bettiah in connection with
Majhauriya P.S. Case No. 1041 of 2023.

(Khatim Reza, J)

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