

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46153 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- KHUSRUPUR District- Patna

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Ramakant Rai @ Ravi Kumar @ Ravikant Kumar @ Bhoti @ Moti S/O
Shivjatan Rai R/O Village- Khirodharpur, P.S.- Khusrupur, District- Patna

... .. Petitioner/s

Versus

- 1. The State of Bihar

- 2. Urmila Devi W/O Jagat Das R/O Vill.- Sakim Khirodharpur, P.S.-
Khusrupur, District- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate
	:	Mr. Vijay Anand, Advocate
	:	Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 02-12-2025 Pursuant to order dated 24.09.2025, learned court below has sent a report regarding the hearing of the prayer for bail by the learned Exclusive Special Judge, Rape and POCSO Act and not by the Special Judge, SC/ST Act.

2. On perusal of the said report, it appears that police, after completion of investigation, submitted charge-sheet under Sections 363, 366A of the IPC, Section 9 of the Child Marriage Act and Section 3(2)(va) of the SC/ST Act only, however, SC/ST court found the age of the victim below the age of 18 years and therefore, the case was transferred to the court of Special



Judge, POCSO Act.

3. Heard learned counsel for the petitioner and learned APP for the State.

4. The petitioner seeks bail in connection with Special POCSO Case No. 345 of 2024 arising out of Khusrupur P.S. Case No. 246 of 2024 instituted for the offences under Sections 363, 366A of the Indian Penal Code.

5. Accusation against the accused persons including the petitioner is of luring away the informant's minor daughter.

6. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that victim in her Statement recorded under Section 183 of the BNSS has specifically stated that she left her house on her own sweet will and this petitioner never gave any compulsion or threat to her. He further submitted that nothing has been whispered against the petitioner in Section 183 BNSS statement of the victim regarding any forceful compulsion or sexual assault. Learned counsel further submitted that charges against the petitioner have been framed under Sections 363, 366A of the IPC, Section 9 of the Child Marriage Act, Section 3(2)(va) of the SC/ST Act and Section 4 of the POCSO Act. It has been submitted on



behalf of the petitioner that the petitioner is in custody since 18.09.2024 and has no criminal antecedent.

7. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Considering the aforesaid facts and circumstances of the case, there being no material against the petitioner in Section 183 BNSS statement of the victim as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

9. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special POCSO Case No. 345 of 2024 arising out of Khusrupur P.S. Case No. 246 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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