

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52716 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- PARWALPUR District- Nalanda

Dhananjay Kumar, aged about 19 years (Male), Son of Munna Prasad @ Munna Yadav @ Muneshwar Gope, R/O Vill.- Dharmpur, Dasturpur, P.S.- Tharthari, Dist.- Nalanda.

... .. Petitioner

Versus

1. The State Of Bihar.
2. Dinesh Prasad, Son of Late Ganouri Prasad, R/O Vill.- Har Prasad Bigha, P.S.- Parwalpur, Dist.- Nalanda.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr.Anil Kumar Singh, Advocate
For the State : Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

7 23-04-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Parwalpur P.S. Case No. 20 of 2024 dated 24.02.2024 registered for the offences punishable under Section 366A of the I.P.C. and after investigation, police found the case true under Sections 366A, 120B of the I.P.C. and Sections 4/6 of the POCSO Act.

3. As per the prosecution case, on 22.02.2024 at about 7.00 A.M., the petitioner is alleged to have kidnapped the minor grand-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. It is submitted that as a matter of fact the petitioner is a Tempo driver and the victim girl regularly go with the Tempo of the petitioner for taking coaching classes, due to which, both have fallen in love affairs and both have fled away with their own consent and performed marriage in the Temple and in this regard an affidavit was prepared before the Notary Public on 23.2.2024, annexed as Annexure-P/2 to the present bail petition. It is further submitted that during the course of investigation and on the basis of tower location, police raided the house of maternal uncle and aunt of the petitioner situated at Katihar and recovered the victim girl and the petitioner on 15.03.2024. The statement of the victim girl has been recorded under Sections 161 and 164 of the Cr.P.C. in which she has stated that the petitioner has abducted her with his friends and took her to Katihar and confined in a room and also committed wrong act with her. The victim girl has refused to be medically examined. It is further submitted that the victim as P.W.4 and the mother of the victim as P.W. 5 during the course of trial, in their examination-in-chief, have not support the prosecution case as alleged in the F.I.R. and have also not identified the petitioner on Doc, annexed as Annexure P/2 to the supplementary affidavit filed on behalf of the petitioner. The petitioner has one criminal



antecedent in which he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 16.03.2024.

5. Learned A.P.P. for the State has vehemently opposed the 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 VIIth Additioal Sessions Judge-cum-Special Judge, POCSO, Nalanda at Biharsharif in connection with Parwalpur P.S. Case No. 20 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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