

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47042 of 2025

Arising Out of PS. Case No.-24 Year-2024 Thana- Lokha District- Supaul

Ashok Sharma Son of Phul Kumar Sharma Resident of Village - Pathra Ward
No.- 2, P.S.- Pipra, District - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Hidden Daughter of Ramchandra Sharma Resident of Village - Amha, Ward
No.- 02, P.S.- Laukaha, District - Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Singh, Adv.

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

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

ORAL ORDER

2 13-08-2025 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 POCSO Case No. 67 of 2024 arising out of Laukaha P.S. Case No. 24 of 2024 (Complaint POCSO Case No. 2c of 2024) dated 28.05.2024 registered for the offences punishable u/ss 341, 342, 323, 504, 376 of the Indian Penal Code and u/ss 4, 6, 8, 10 and 12 of the POCSO Act.

3. As per the prosecution case, the co-accused, Anil Kumar and Shashi Sharma are alleged to have forcibly kidnapped the minor victim and the co-accused Anil Kumar



applied vermilion on her. It is further alleged that the co-accused, Anil Kumar kept the victim in the house of the co-accused, Shashi Sharma and committed rape forcibly on her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that as per the F.I.R., there is specific allegation against the co-accused persons namely, Anil Kumar and Shashi Sharma. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that as per the impugned order, there is allegation against the petitioner regarding forcibly marrying the victim with the co-accused, Anil Kumar against her will which is also evident from the confessional statement of the victim recorded u/s 164 of the Cr.P.C.

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, Supaul in connection with POCSO Case No. 67 of 2024 arising out of Laukaha P.S. Case No. 24 of 2024 (Complaint POCSO Case No. 2c of 2024) with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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