

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66174 of 2024**

Arising Out of PS. Case No.-972 Year-2023 Thana- TURKAULIYA District- East  
Champaran

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1. Ram Chandra Ram Son of Late Nathuni Ram Resident of Village -  
Balganga, P.S. - Raghunathpur, District - East Champaran
  2. Golu Ram Son of Ram Chandra Ram Resident of Village - Balganga, P.S. -  
Raghunathpur, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi Wife of Madan Ram R/O Vill.- Balganga, P.S.- Raghunathpur  
O.P., Dist.- East Champaran.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Madhurendra Kumar, Advocate  
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

5      29-01-2025                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. In the present case, the petitioners seek bail in  
connection with Turkauliya (Raghunathpur) P.S. Case No. 972  
of 2023, registered for the alleged offences under Sections 363,  
366A of the Indian Penal Code and Section 8 of POCSO Act.

3. As per prosecution case, the minor daughter of the  
informant was taken away by co-accused Annu Ram and when  
the informant went to the house of the petitioners, who are  
father and brother of co-accused, respectively, they drove her



away. The informant showed her suspicion that the petitioners were also involved in kidnapping of her minor daughter for the purpose of marriage or trafficking.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. The daughter of the informant was in relationship with co-accused Annu Ram and eloped with him voluntarily and solemnized marriage with co-accused Annu Ram. The statement of the victim girl was recorded under Section 164 Cr.P.C. wherein she stated that she went to Tamilnadu with Annu Kumar and stayed there for a year. She also stated that she knows co-accused Annu Ram since 4-5 years. She also stated that she has studied upto matriculation. The victim girl also stated that she intended to go with her husband. Learned counsel thus submits that from the statement of the victim girl it is apparent that the petitioners have no role in the elopement of the daughter of the informant. The FIR was lodged after delay of 18 days without any explanation. Even from the FIR the allegation is specific against co-accused Annu Ram. The petitioners are in custody since 29.04.2024 and charge sheet has been submitted. The petitioners are having clean antecedent.



5. Learned APP opposes the submission made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the completely vague and doubtful nature of allegation against the petitioners, their clean antecedent and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 6<sup>th</sup> Additional Sessions Judge -cum- Special Judge, POCSO Act, East Champaran, Motihari/concerned Court in connection with Turkauliya (Raghunathpur) P.S. Case No. 972 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bonds of the  
petitioners will be liable to be  
cancelled by the court concerned.

(Arun Kumar Jha, J)

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