

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66667 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- Charkapathar District- Jamui

1. Shivam Kumar Singh Son of Sanjay Singh @ Sanjay Kumar Singh Resident of Village- Bharauli, P.S.- Sonbarsa Raj, District- Saharsa
2. Shubham Kumar @ Subham Kumar Singh @ Sundaram Kumar Singh Son of Sanjay Singh @ Sanjay Kumar Singh Resident of Village- Bharauli, P.S.- Sonbarsa Raj, District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sunita Devi Wife of Rakesh Singh R/O Vill. and Post- Maheshwari, P.S.- Charkapathar, Dist.- Jamui

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 81162 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- Charkapathar District- Jamui

Satyam Kumar Singh @ Satyam Son of Sanjay Singh @ Sanjay Kumar Singh Resident of Village - Bharauli, P.S. - Sonbarsa Raj, District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi Wife of Rakesh Singh Resident of Village and Post - Maheshwari, P.S. - Charkapathar, District - Jamui

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 66667 of 2024)
For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Md. Ataur Rahman
(In CRIMINAL MISCELLANEOUS No. 81162 of 2024)
For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 18-02-2025 Heard learned counsel for the petitioners and learned

APP for the State.



2. The petitioners have preferred this application for grant of regular bail in connection with Charkapathar P.S. Case No. 09 of 2024 dated 22.03.2024 registered for the offences punishable under sections 366A read with Section 34 of the Indian Penal Code. Subsequently, Section 8 of POCSO Act was added.

3. As per the prosecution case, the petitioners are alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The victim in her statement recorded under Section 164 Cr.P.C. has stated that she had gone with the petitioner (Satyam Kumar Singh) with his own will. Learned counsel for the petitioner has further submitted that there is nothing on record which shows that the victim was forced/seduced to have illicit intercourse with another person. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioner, Shivam Kumar Singh is in custody since 01.04.2024, the petitioner Shubham Kumar is in custody since 10.05.2024 and the petitioner Satyam Kumar Singh is in custody since 08.07.2024.



5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-1-cum-Special Court SC/ST POA Act & PCOSO Act, Jamui, in connection with Charkapathar P.S. Case No. 09 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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