

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61516 of 2025

Arising Out of PS. Case No.-598 Year-2024 Thana- NOORSARAI District- Nalanda

Gautam Kumar S/o- Sunil Ram, resident of Village- Budhaul PS- Noorsarai
Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dharam Sindhu Choubey, s/o- Jitendra Pandey, resident of Village- Budhaul
Po- Ganpura PS- Noorsarai Dist- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 10-12-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Earlier the notice was issued to the O.P. No. 2 under both modes and the notice issued under speed post with A/D has been received by the daughter of O.P. No. 2, but none appears on behalf of O.P. No. 2.

3. The petitioner seeks bail in connection with Noorsarai P.S. Case No. 598 of 2024 (POCSO Case No. 114 of 2025) dated 21.12.2024 instituted for the offence punishable under Sections 96, 137, 3(5) of Bhartiya Nyaya Sanhita, 2023 & 8/12 of POCSO Act.

4. The allegation against the petitioner and another accused person is that they abducted the daughter of the informant



when she was going to school.

5. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner further submits that F.I.R. has been lodged on 21.12.2024 and the victim girl returned voluntarily on 22.12.2024. The statement of the victim girl has been recorded under Section 183 Bhartiya Nagrik Suraksha Sanhita in which she has not supported the case of the prosecution. Learned counsel for the petitioner submits that the statement of the victim does not refer allegation of any sexual assault against the petitioner. It is further submitted that the victim girl fled away from her house on her own will. There is no allegation of abduction against the petitioner. Lastly, it has been submitted that the petitioner is in custody since 21.06.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

6. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned VIIth District Judge cum Special Judge, POCSO, Nalanda at Biharsharif in connection with



Noorsarai P.S. Case No. 598 of 2024.

(Khatim Reza, J)

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