

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67179 of 2024

Arising Out of PS. Case No.-153 Year-2024 Thana- NAWADA District- Nawada

Piyush Kumar Son of Raj Kumar Prasad Verma, Resident of Village - Patel Nagar, P.S. - Bhurkunda O.P, District - Ramgarh (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ashok Prasad Verma, Son of Barho Saw, Resident of Village - Sadbhabna Chowk, Chaudhary Nagar, P.S. - Nawada, District - Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vibhuti Ranjan Sonvadra, Advocate
For the State	:	Mr. Mohammad Sufyan, APP
For the OP No.2	:	Mr. Umesh Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 16-01-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No.2.

2. The petitioner is praying for regular bail in a case registered for the offence punishable under Sections 363, 366(A), 354(B), 323, 379/34 of the Indian Penal Code and Section 8 & 12 of the POCSO Act.

3. The case of the prosecution is that on 14.11.2023, the minor daughter of the informant fled from her house carrying Rs.4,00,000/- cash and jewellery worth Rs.2,50,795. On 25.11.2023 the relative of the informant, one Chunnu Verma told that the daughter of the informant is at the house of Raj Kumar. When the informant reached Ramgarh, he found his



daughter in Bhurkunda Bazar in the State of unconsciousness. She was given medicine after that the daughter of the informant told that Piyush Kumar had called her on the pretext of marriage and she has taken cash from the house. As she came Ramgarh, Piyush Kumar took away the bag of cash and jewellery and assaulted her.

4. During course of hearing, learned counsel for the petitioner has submitted that the occurrence is of 14.11.2023, the informant has gone to search the victim on 25.11.2023, despite this the case was filed on 31.01.2024. There is delay of at least two months and the statement of the witnesses was recorded after five months of the occurrence.

5. Learned APP for the State as well as learned counsel for the opposite party No.2 have vehemently opposed the prayer of regular bail. Learned counsel for the informant submits that the statement of the victim was recorded under Sections 161 and 164 of the Cr.P.C. In her statement 164 Cr.P.C. she has stated in the last line of the statement that the petitioner has committed rape with her forcefully.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case; the delay in lodging of the FIR, the delay in recording of the statement of the



witnesses and victim and the development in the story of the prosecution prompts me to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Town (Nawada) P.S. Case No.153 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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