

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69467 of 2024

Arising Out of PS. Case No.-260 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

Upendra Kumar @ Nachak Kumar S/O Shri Bind Resident of Village-
Hargaon, P.O- Badauna, P.S- Chainpur, Distt.- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Uday Ram S/O Shivmuni Ram R/O Village- Ramauli, P.O- Badauna, P.S- Chainpur, Distt.- Kaimur at Bhabhua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr.Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 18-01-2025 Heard learned counsel for the petitioner, Informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 96, 352, 351(2), 3(5) of Bhartiya Nyay Sahanhita, 2023 and Sections 3(1) (r), 3 (1) (s) of the SC/ST Act. Later Sections 8 and 12 of the POCSO Act was added.

3. The case of the prosecution is that the petitioner enticed and allured the minor daughter of the informant and has kidnapped her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in



connection with the present case. During the course of hearing, learned counsel for the petitioner submits that the victim girl has been recovered and she has stated before the police and the Magistrate under Section 183 of the BNSS that she has gone with her own will. It is further submitted by the learned counsel for the petitioner in the presence of learned counsel for the informant that the parties have entered into compromise. Further submission is that it is a case of adolescence affair outside marriage. Moreover, the petitioner is languishing in judicial custody since 22.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Chainpur P.S. Case No. 260 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 Special Judge, POCSO Act- cum- ADJ-VI, Kaimur at Bhabhua.

(Ashok Kumar Pandey, J)

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