

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76916 of 2024

Arising Out of PS. Case No.-271 Year-2024 Thana- RAJIVNAGAR District- Patna

Chandan Kumar Das @ Chandan Kumar, Son of Shivji Das, Resident of Village- Fatepur (Piariya), P.S.- Didarganj, Dist.- Patna. At Present Address R/at C.D.A. Colony, Near Shiv Mandir, P.S.- Shastrinagar, Patna-23

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dasrath Kumar Mahato, Son of Late Lakshmi Mahato, R/O Mohalla Basant Vihar Colony, North Nepali Nagar, P.S.- Rajeev Nagar, Dist.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

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

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 363 and 366A of the IPC, later on charge-sheet has been submitted under Sections 363, 366A and 376 of the IPC and also under Section 4 of the POCSO Act and under Section 9 of Prohibition of Child Marriage Act, 2006.

3. The case of the prosecution is that minor daughter of the informant aged about 17 years has gone for coaching and she did not return after a considerable time. Then the informant enquired about it. He came to know that the petitioner has



enticed and taken her daughter to his house. When the informant went to the house of the petitioner, his daughter was there and he was not allowed to take his daughter back to his house. The informant was abused.

4. Learned counsel appearing on behalf of the petitioner has submitted that during course of investigation, the victim has given her statement under Section 164 Cr.P.C. that she on the date of occurrence she had gone to the house of Chandan Kumar Das. Her father has also arrived there but she did not return with her father. She has further stated in her statement that her father used to beat her that is why she did not return with him. She further stated that she was living with Chandan Kumar Das (petitioner) in a room at Gandhi Maidan where the petitioner had sexual relation with the victim. She has further stated that the relation was on their own will. From the perusal of the statement of the victim it is clear that it is a case of adolescence. The petitioner is having no criminal antecedent. He is in custody since 18.05.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is



inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge- VI-cum-Special Judge (POCSO), Patna in connection with Rajiv Nagar P.S. Case No. 271 of 2024.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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