

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73866 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- RAHUI District- Nalanda

Vicky Kumar Son of Tuntun Ravidas Vill -B.N. Pahari PS- Rahui Bhagan
Bigha Dist -Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudish Das son of Late Bishuni Das Vill -B.N. Pahari PS- Rahui Bhagan
Bigha Dist -Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 21-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 366A, 376, 120(B) and 34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

3. The case of the prosecution is that at the time of occurrence, the complainant was having meal with his family. At that time, all the accused persons arrived there and informed that they are going to Rajgir to Malmus fair and they compelled the complainant to send their daughter and they took the minor daughter of the complainant. On 27.07.2023, all the accused



persons returned but Vicky and Nitu kumari, daughter of the informant did not return. On being asked, the complainant was told that his daughter has been taken to Sarifabad at the house of his aunt and they will return after two days but did not return for a considerable time. The complainant suspects that the accused persons have taken away the daughter with a view to solemnized marriage with Vicky.

4. During the course of argument, learned counsel for the petitioner submits that in this case victim was recovered and she has given her statement under section 164 of the Cr.P.C. wherein she has stated that she was liking Vicky and that she has gone with him and solemnized court marriage. She was brought for medical examination where only her age was assessed. The doctor has find her age to be 18 years. She was not ready for her internal examination. All these facts and circumstances goes to show that it is a case of adolescence affair outside marriage. Moreover, the petitioner is languishing in judicial custody since 01.07.2024.

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 POCSO Case NO. 73 of 2024 arising out of Rahui P.S. Case No. 49 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 7th Additional District and Sessions Judge cum Special Judge, POCSO, Biharsharif, Nalanda.

(Ashok Kumar Pandey, J)

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