

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67433 of 2025

Arising Out of PS. Case No.-429 Year-2023 Thana- GAYA KOTWALI District- Gaya

Sujal Kumar, S/O Santosh Prasad, R/O Mohalla- Jhilganj Pahsi, P.S.-
Kotwali, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/O Mohalla- Naigodown First lane,
near Rama Press, P.S.- Kotwali, District- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 17-09-2025 Heard Mr. Vinod Kumar, learned counsel for the
petitioner and Mrs. Rita Verma, learned APP for the State.

2. The petitioner has prayed for bail in connection
with Kotwali P.S. Case No. 429 of 2023 registered for the
offence punishable under Section 366(A) of the Indian Penal
Code.

3. The case of the prosecution is that the petitioner has
kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. During course of investigation, the victim was recovered



and from perusal of the order of the trial Court it is clear that the trial Court has recorded that in the statement under Section 164 of the Cr.P.C. the victim has stated that she was in love with this petitioner and she had gone with him on her own will. In this case, there is no allegation that the petitioner has subjected the victim to sexual intercourse. So this kind of assumptions should not be made. Moreover, the victim herself has stated that she has gone with the petitioner on her own will. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 29.02.2024.

5. Learned APP appearing for the State has vehemently opposed the application for bail has submitted that from perusal of the of order of the trial Court it also transpires that that the date of birth was 01.01.2008 and the trial Court has also recorded that medical examination report suggests intercourse in past may not be denied.

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/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special



Judge, POCSO-cum-A.D.J.-VI, Gaya in connection with
Kotwali P.S. Case No. 429 of 2023.

(Ashok Kumar Pandey, J)

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