

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73575 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- HISUWA District- Nawada

Sonu Kumar S/o Krishna Ravidas, Resident of Village - Eknar, PS- Hisua,
Distt. - Nawada.

... .. Petitioner

Versus

1. The State of Bihar.
2. Renu Devi W/o Karu Rajvanshi, R/o vill - Eknar, P.S. - Hisua, Distt. - Nawada.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-01-2025 Heard Mr. Raj Kumar, the learned counsel for the

petitioner, the learned counsel for the informant and Mr. Md.

Fahimuddin, the learned Additional Public Prosecutor for the

State.

2. Petitioner seeks regular bail who is in custody since

06.08.2024, in connection with Hisua P.S. Case No. 78 of 2024,

FIR dated 05.02.2024, registered for the offences punishable

under Section 366(A) of the Indian Penal Code and under

Section 8 of the POCSO Act.

3. According to the prosecution case, one Bikram

Manjhi with the help of petitioner and one more co-accused

person kidnapped the minor daughter of the informant.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that as per allegation in the FIR, the petitioner and other co-accused persons abducted the daughter of the informant. He further submits that from bare perusal of the impugned order, it appears that the victim in her statement which was recorded under Section 164 of the Cr.P.C. has firmly stated that she has performed marriage with the co-accused Bikram Manjhi and petitioner is friend of Bikram Manjhi. Apart from that, the co-accused person namely, Pappu Kumar @ Sanjeet Kumar has been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court *vide* order dated 03.01.2025 passed in Cr. Misc. No. 54325 of 2024.

5. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the FIR, it appears that petitioner has participated in the present crime in question. Apart from that, the anticipatory bail application of the co-



accused person namely, Karan Manjhi @ Karan Kumar has been rejected by this Court vide order dated 08.01.2025 passed in Cr. Misc. No. 89138 of 2024.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent, victim has not stated anything about the petitioner and victim has also stated in her statement recorded under Section 164 of the Cr.P.C. that she has performed marriage with the co-accused person Bikram Manjhi, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Nawada, in connection with **Hisua P.S. Case No. 78 of 2024**, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to



move for cancellation of bail.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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