

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76532 of 2024

Arising Out of PS. Case No.-800 Year-2023 Thana- SAUR BAZAR District- Saharsa

Ramchandra Kumar @ Ramchandra Sah S/o- Sri Lalit Kumar Sah @ Lalit Sah Village- Parmeniyar Ps- Sonvarsha Kachahari Saharsa Dist- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Diwakar Thakur S/o- Mahendra Thakur Village- Vasa Tola Golma W.No-18, Op Patarghat Ps- Saurbazar Dist- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-01-2025 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366A and 120B/ 34 of the Indian Penal Code and Sections 4 and 18 of the POCSO Act.

3. The learned counsel for the petitioner submits that the petitioner is in custody since 17.08.2024, he is a person with clean antecedent and the informant alleges that his minor daughter aged about 17 years was alone in the house. Further, the petitioner came and enticed his daughter and they were fleeing, but *Bhabhi* of the informant saw them and raised an alarm, but petitioner fled, thereafter her *Bhabhi* informed the



family members, who were working in the field. Accordingly, the informant instituted a complaint case based on which, an FIR was instituted. It is also alleged that during search, it transpired that occurrence was committed in connivance with other accused persons and that petitioner was friendly with Sunil Mukhiya.

4. The learned counsel for the petitioner submits petitioner has been falsely implicated in the instant case by the informant. It is next submitted that victim was recovered and her statement under Section 164 Cr.P.C. was recorded wherein she has not supported the case of the prosecution rather has stated that she is 18 years of age and she had gone to Delhi where she called the petitioner and there they performed their marriage in Arya Samaj Mandir. It is also submitted that the statement of the victim as recorded under Section 164 Cr.P.C. is recorded in the order impugned.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel appearing on behalf of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of



learned Special Judge POCSO, Saharsa in connection with
Saurbazar P. S. Case No.800 of 2023.

7. The application stands allowed.

(Satyavrat Verma, J)

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