

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79424 of 2024**

Arising Out of PS. Case No.-387 Year-2024 Thana- RAJIVNAGAR District- Patna

Sumit Kumar S/O Late Dhirendra Singh R/o - Bhawani Tola, Rampur Diyara,  
P.S - Maner, Distt -Patna.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Smt. Priti W/O Prashant Kumar R/O Road No. 14, Rajeev Nagar, P.S-  
Rajeev Nagar, Distt.- Patna.
- 3. Neha Kumari D/O Sunil Sah R/O Sardar Tola Aina Mahal Gulab Bag P.S.  
Sadar City Distt Purnea

... .. Opposite Party/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Ram Jiban Pd Singh, Advocate |
| For the State        | : | Mr. Aditya Narayan Singh.1, APP  |
| For the Informant    | : | Mr. Upendra Prasad-II, Advocate  |

**CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY**  
**ORAL ORDER**

5      01-05-2025                      Heard learned counsel for the petitioner and the  
  
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with  
  
Spl.(POCSO) Case No. 183 of 2024 arising out of Rajiv  
Nagar P.S. Case No. 387 of 2024, registered for the offences  
punishable under Sections 137(2) and 64 of the B.N.S., and  
under Sections 4 and 6 of the POCSO Act.

3. The prosecution case is to the effect that the  
  
maternal aunt of the victim lodged a case stating therein that  
  
her niece had left the house and called her on the phone and

said that she was going by train on her own and would not return.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated on the false charge of kidnapping, as no case of kidnapping is made out from the mere statement of the victim girl, who had herself stated that she had gone on her own free will. He further submits that the trial had begun in the present case, and altogether four prosecution witnesses were examined, including the victim as well as the informant and the mother of the victim, and none had supported the allegations levelled against the petitioner. He lastly submits that the petitioner is in custody since 11.07.2024.

5. Learned counsel for the informant in such circumstances does not dispute the depositions of the four prosecution witnesses who have been examined and have been declared hostile barring one, P.W.-3. Learned APP for the State also opposed the prayer for bail and stated that admittedly the victim girl was a minor, and in such circumstances, the petitioner should not be released on bail.

6. Considering the aforesaid submissions made by the parties and taking into account that the allegations levelled against the petitioner are not being proved from the evidence which has come during the course of the trial as should be ascertained from the depositions of P.W-1 to P.W-4, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Add. Sessions Judge VIth cum Spl. Judge POCSO, Patna, in connection with Spl.(POCSO) Case No. 183 of 2024 arising out of Rajiv Nagar P.S. Case No. 387 of 2024.

(Sourendra Pandey, J)

aditya/-

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