

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76978 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- ROSHANGANJ District- Gaya

Chandan Kumar Son of Bhikhari Yadav Resident of Village - Manjuri Khurd,
P.S.- Raushanganj, Distt.- Gaya

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Anjum Ara Wife of Md. Amanat Resident of Village - Manjuri Khurd, P.S.-
Raushanganj, Distt.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP
For the Informant : None

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 24-02-2025 Heard learned counsel for the petitioner and learned

APP for the State. None appears on behalf of the informant

despite notices being validly served. Perused the case diary.

2. The petitioner seeks bail in connection with

Raushanganj P.S. Case No. 72 of 2024 instituted for the offences

under Sections 363, 366A of the Indian Penal Code and Section

8, 12 of the POCSO Act.

3. Allegation against the petitioner is that he lured

victim (informant's minor daughter) away on the pretext of

marriage.

4. Learned counsel for the petitioner submitted that the

petitioner has falsely been implicated in the present case.



Learned counsel further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has not supported the case of the prosecution, in fact, she has specifically stated that she went with the petitioner on her own sweet will without any compulsion. Learned counsel further submitted that police after investigation submitted charge-sheet under Sections 363, 366A of the IPC and Section 8/12 of the POCSO Act, however learned Court below took cognizance against the petitioner under Sections 366A, 376(3) of the IPC and Section 4 of the POCSO Act as also Section 9 of the Prohibition of Child Marriage Act. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.06.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, Section 164 Cr.P.C. statement of the victim as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Raushanganj P.S.
Case No. 72 of 2024.

Alok Verma/-
(Rudra Prakash Mishra, J)

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