

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77474 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Kuldeep Ram S/O Ramu Ram R/O Village- Jamurni, P.S- Durgawati, Dist.-
Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pappu Ram S/O Late Gullu Ram R/O Village- Jamurni, P.O- Karamnasha,
P.S- Durgawati, Distt.- Kaimur at Bhabua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr.Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 25-06-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for
the offences under Section 366(A), 376/34 of I.P.C. and
Section 4 of POCSO Act.

3. As per the prosecution case, the informant has
alleged that a co-villager namely Kuldeep Ram (petitioner)
had enticed the informant's minor daughter and they were
traceless. It has further been submitted that when the other
named accused persons were inquired, they threatened the
informant.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case as no such occurrence of kidnapping as stated in the FIR was committed by him. Learned counsel further submits that the victim girl has given statement under Sections 161 and 164 of Cr.P.C. and has not alleged anything against the petitioner rather she has stated that she called the petitioner on phone and has asked the petitioner to take her along with him. It is next submitted that the daughter of the informant has also refused for medical examination and there was no allegation of sexual assault upon the petitioner made by the victim girl. It is lastly submitted that the petitioner has clean antecedent and is in custody since 19.07.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/successor court in connection with POCSO Case No. 64/2024 arising out of Durgawati P.S. Case No. 98/2024 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. The petitioner shall not approach the informant or any of the family members or the victim girl to either coerce or threaten during the pendency of the trial.
- d. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- e. The Court below 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 court below shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the
afore-mentioned order shall not be delayed
for purpose of or in the name of
verification.

7. It is made clear that the observations, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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