

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77146 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- HARPUR District- East Champaran

Raja Ram Kumar @ Raja Ram Patel S/o Late Bula Patel Resident of Village -
Nayak Tola, P.S- Harpur, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Devi W/o Late Devilal Sah R/o vill - Nayak tola, P.S. - Harpur,
Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Radha Mohan Singh, Advocate Mr. Prabhat Kumar Singh, Advocate Mr. Vijya Raj Lakshmi, Advocate
For the State	:	Mr. Choubey Jawahar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 6 15-05-2025 1. Heard learned counsel for the petitioner, learned APP
for the State.
2. The petitioner apprehends his arrest in connection with
Harpur P.S. Case no.14 of 2024 registered under sections 366A
and 34 of the Indian Penal Code and Section 8 of the POCSO
Act.
3. Despite the issuance of notice the opposite party no. 2
has not appeared in the present proceedings.
4. The allegation in the First Information Report is that
the petitioner had allured the minor grand-daughter of the
informant and had taken her away for the purposes of marriage.



5. Learned counsel for the petitioner at the outset submits that it is not a case of kidnapping and the victim had rather gone along with the petitioner on her own will and she has admitted the same in her statements recorded both under Sections 161 and 164 of the Cr.P.C./ 180 and 183 of the B.N.S.S. The learned counsel for the petitioner invites the attention of the Court to the bail rejection order itself that the said fact has been recorded and it also appears that the Medical Board has determined her age to be between 17 to 19 years. The statements of the victim girl under Section 183 of the B.N.S.S. is on record and a perusal of the same would show that the victim who is aged about 17 years had left the house voluntarily and she was not allured by anyone and nothing wrong had happened with her. She has further stated that she does not want to go with her family members and the petitioner has no criminal antecedent.

6. The application for anticipatory bail is opposed by learned A.P.P. for the State.

7. Considering the aforesaid facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Harpur P.S. Case no. 14 of 2024 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 7th Additional Sessions Judge- cum- Special Judge, POCSO, East Champaran at Motihari, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

Raj Ranjan/-

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