

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77674 of 2024

Arising Out of PS. Case No.-58 Year-2021 Thana- BHADAUR District- Patna

Madhav Kumar Singh @ Madhav Kumar S/o Ram Binod Singh R/o Vill-
Khajurar, Ps- Bahdaur, District Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pappu Kumar Rajak S/o Mahendra Raraj R/o Khajurar, P.S.- Bahadaur,
Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Adv.

For the Opposite Party/s : Mr.Binod Kumar, APP

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

ORAL ORDER

6 24-02-2025 Heard learned counsel for the petitioner and learned
APP for the State. Inspite of being informed by the State, no one
appears for the Informant. Perused the case diary.

2. The petitioner seeks bail in connection with
Bhadaur P.S. Case No. 58 of 2021 instituted for the offences
under Sections 366A, 366, 376 of the Indian Penal Code and
Sections 4 & 6 of the POCSO Act.

3. As per prosecution case, the petitioner is alleged to
have allured the minor victim girl and taken her away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case with false and frivolous allegations. The petitioner



has not committed any offence as alleged in the F.I.R. There is delay of six days in lodging the F.I.R. which creates serious doubt in the prosecution case. There is a love affair between the victim girl and the petitioner and, the victim girl, on her own sweet will, has left her house with the petitioner. The victim girl was recovered on 04.09.2021 and, in her statement recorded under Section 164 Cr.P.C., she has stated that she got married with the petitioner and wanted to live with him and has not made any allegation of any overt act against him. The medical report does not support the prosecution case as the doctor has not found any sign of recent sexual intercourse and has also assessed the age of the victim girl above 18 years. The petitioner has one criminal antecedent as has been stated in Para-3 of the supplementary affidavit and is languishing in judicial custody since 06.09.2021 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The victim is minor. Charge-sheet has been submitted against the petitioner under Sections 366/366(A)/376 of the I.P.C. and Section 4/6 of the POCSO Act. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.



6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the statement of the victim girl recorded under Section 164 Cr.P.C., let the petitioner, abovenamed, 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 Bhadaur P.S. Case No. 58 of 2021.

(Rudra Prakash Mishra, J)

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