

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78016 of 2024

Arising Out of PS. Case No.-208 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Tinkal Mallah Son of Late Sukhari Mallah R/O village Kajhar P.O. and P.S.-
Kudra, District- Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munna Ram Son of Late Ram Chandra Ram R/O Ghatav, P.O.- Farkhabad,
P.S.- Kudra, Dist.- Kaimur, Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhash, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the O.P. No.2	:	Mr. Uday Pratap Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant.

2. In the present case, the petitioner seeks bail in
connection with Kudra P.S. Case No. 208 of 2024, registered for
the offences under Section 366A of the Indian Penal Code.

3. As per prosecution case, the minor daughter of the
informant went missing and the informant named the petitioner
who took his minor daughter away.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. FIR was lodged on 20.06.2024 and the daughter of the
informant came to the police station on 21.06.2024 and



statement under Section 164 of Cr.P.C. was recorded wherein she has stated that her parents got her marriage solemnized with a person in Rajasthan who was aged about 40-45 years and they took money for solemnizing the marriage and the person forcibly established physical relationship with her. Petitioner is in custody since 23.06.2024 and charge-sheet has been submitted. Petitioner is having antecedent of one case which is registered under Bihar Prohibition and Excise Act.

5. Learned APP as well as learned counsel for the informant oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that specific allegation against the petitioner for enticing away the minor daughter of the informant.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the statement of the victim under Section 164 of Cr.P.C. and also considering the period of custody and submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO-cum-ADJ-VI, Kaimur at Bhabua/concerned court, in connection with Kudra



P.S. Case No. 208 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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