

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77466 of 2024

Arising Out of PS. Case No.-472 Year-2021 Thana- BIHTA District- Patna

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Golu Kumar @ Rahul Kumar @ Rahul Son of Biteshwar Rai Resident of
Village - Simari, P.S. - Bihta, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kalawati Devi Wife of Maheshwar Ram Resident of Village - Musepur, P.S.
- Bihta, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar, Advocate
For the Informant/s	:	Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 23-01-2025 Heard learned counsel for the petitioner; learned
counsel for the informant Mr. Raju Kumar Singh and learned
APP for the State.

2.The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 363, 366A,
506 and 34 of the Indian Penal code and later on Section 376 of
Indian Penal Code and Section 4 of POCSO Act added in this
case.

3. The case of the prosecution is that on 01.07.2021, the
informant has gone to perform some prayer at the temple when
she returned back, she found that her daughter was missing. She
came to know that Golu Kumar, Biteshwar Rai and Gayatri



Devi have kidnapped her daughter.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 21.09.2024.

5. Mr. Akbar Ali, learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submits that during course of investigation, the victim was recovered and she has given her statement recorded under Section 164 of the Cr.P.C., wherein she has stated that she has gone to Delhi with Golu Kumar without disclosing it to the family members. She married with him and they are also having a baby. It is further submitted that both have solemnized marriage and that he has got no objection on the petition of the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bihta P.S. Case No. 472 of 2021 corresponding to Special (POCSO) Case No. 261 of 2024



on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VIIth-cum-Special Judge, POCSO, Patna.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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