

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78379 of 2024

Arising Out of PS. Case No.-39 Year-2022 Thana- PATAHI District- East Champaran

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Jitendra Singh @ Jokhan Singh @ Jitendra @ Jitendra Kumar Son of
Shambhu Singh Resident of Village - Murtiya, P.S. - Adapur, District - East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kishori Singh Son of Late Ram Janam Singh Resident of Village- Padumker,
P.S.- Patahi, Distt.- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-02-2025 Heard Mr. Madhurendra Kumar, learned counsel for

the petitioner and Mr. Mohammad Sufyan, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
23.07.2024, in connection with Patahi P.S. Case No. 39 of 2022,
FIR dated 24.02.2022 registered for the offence under Sections
363, 366(A) of the Indian Penal Code and Section 8 of the
POCSO Act.

3. As per the prosecution case, petitioner along
with other co-accused persons has kidnapped the daughter of the
informant.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and he has falsely been implicated in this case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR in fact the petitioner was in love with the victim girl and they have solemnized the marriage with each other. He further submits that statement of victim was recorded under Section 164 Cr.P.C./under Section 183 of B.N.S.S.,2023 in which she has categorically stated that she has performed the marriage with the petitioner and apart from that she has also disclosed that she is about 22 years old.

5. Learned counsel for the petitioner has filed a supplementary affidavit stating therein “*that the petitioner, who is now the husband of the victim girl is ready to keep her alongwith her child with full honour and dignity and also will look after them properly.*” The petitioner is rotting in judicial custody since 23.07.2024.

6. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

7. Considering the undertaking filed on behalf of the petitioner, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Additional and Sessions Judge-VII-cum-Special Judge,
POCSO Act, East Champaran at Motihari in connection with
Patahi P.S. Case No. 39 of 2022 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall
be properly represented on each and every date fixed by the
Court and shall remain physically present as directed by the
Court and on his/her absence on two consecutive dates without
sufficient reason, his/her bail bond shall be canceled by the
Court below.

(ii) If the petitioner tampers with the evidence or
the witnesses, in that case, the prosecution will be at liberty to
move for cancellation of bail.

And, further condition that 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 above-mentioned order
shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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