

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82232 of 2024**

Arising Out of PS. Case No.-142 Year-2024 Thana- RAXAUL District- East Champaran

Samir Alam Son of Guddu Miyan Resident of Village - Kishanubag, P.S. -  
Bettiah Town, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjit Singh, Son of Shri Murari Singh, Resident of Tumaria Tola, Ward No. 2, P.S. - Raxaul, District - East Champaran

... .. Opposite Party/s

**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr. Anuj Kumar, Advocate     |
| For the State        | : | Mr. Syed Mojibur Rahman, APP |
| For the Informant    | : | Mr. Vatsal Verma, Advocate   |

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

4      05-02-2025                      Heard learned counsel for the petitioner, Syed Mojibur Rahman, learned APP for the State and Mr. Vatsal Verma, learned counsel for the Informant.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 363, 366, 370 and 376 of the Indian Penal Code and Sections 4 & 6 of the POCSO Act.

3. The case of the prosecution is that one boy and girl were found in suspicious condition. They were intercepted by the police. They were identified as Gayatri Kumari and Samir Alam. On being asked, the girl told that she had been enticed and taken to some temple where vermilion was put on her head



by the petitioner. They were about to go to Nepal. It is further alleged that the petitioner was already married and was having issue. It is further alleged that the petitioner is having criminal antecedent of one case of similar nature. During course of investigation, the girl has given her statement under Section 164 Cr.P.C. where she has stated that the petitioner forced her to make friendship with him and on 14.02.2024, he stopped her and told her to develop friendship. When she denied, she was repeatedly told by the boy and then she went on to his room where she was given water. After consuming water she got unconscious. It is further alleged that she lived there for two days where without her will marriage was solemnized.

4. Learned counsel appearing on behalf of the petitioner has submitted that during course of investigation medical examination was also conducted and in medical examination the Doctor has not found any sign of recent intercourse. The girl is aged about 17 years 11 months and odd days. The petitioner is in custody since 19.04.2024.

5. The application for bail is vehemently opposed by learned APP for the State as well as learned counsel for the Informant.

6. Having heard learned counsel for the parties and



considering the above facts and circumstances, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail 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 7<sup>th</sup> ADJ-cum-Special Judge POCSO Act, East Champaran, Motihari in connection with Raxaul (Haraiya) P.S. Case No. 142 of 2024.

7. Accordingly, the present bail application stands allowed.

**(Ashok Kumar Pandey, J)**

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