

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83211 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- RAMGARHWA District- East
Champaran

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Akhileh Prasad Son of Late Bhutai Mahto Resident of Village- Tadhwapur,
Nand Tola, P.S.- Bairiya, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rudal Thakur S/O Babulal Thakur Resident of Village -Adhpakariya, P.S-
Ramgarwa, Dist- East Champaran, Motihari

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the State : Md. Mushtaque Alam, APP
For the Informant : Mr. Abhishek Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-02-2025 Heard learned counsel for the petitioner, Md.

Mushtaque Alam, learned APP for the State and Mr. Abhishek

Kumar, learned counsel for the Informant.

2. The petitioner has prayed for bail in a case
registered for the offence punishable under Sections 365 and
366A/34 of the I.P.C. and Section 8 of POCSO Act.

3. The case of the prosecution is that the minor
daughter of the informant has gone outside the house and when
she did not come for a considerable time, the informant started
searching her. Then he came to know that Enamul Ansari,
Murtaza Ansari and the mother of Enamul Ansari along with 2-3
others kidnapped the daughter of the informant.



4. Learned counsel appearing on behalf of the petitioner has submitted that during course of investigation the victim was recovered. Victim has given her statement under Section 161 and 164 Cr.P.C. In her statement under Section 161 Cr.P.C. she has stated that Rohit has kidnapped her and had established physical relationship with her and then he handed over her to this petitioner. In her statement under Section 164 Cr.P.C., the victim has stated that this petitioner has only helped her and had not established physical relation with her. The petitioner is a man of clean antecedent. He is in custody since 31.08.2024.

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 7th District and Additional Sessions Judge-cum-Special Judge POCSO, East Champaran, Motihari in connection with



Ramgarhwa P.S. Case No. 130 of 2024.

7. Accordingly, the present bail application stands
allowed.

(Ashok Kumar Pandey, J)

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