

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81122 of 2024

Arising Out of PS. Case No.-553 Year-2024 Thana- NAGAR District- Vaishali

Rahul Kumar Bharti, S/o Sanjay Kumar Bharti, Resident of Village -Shahpur
Undi, PS- Patory, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akash kumar S/O Surendra Chaudhary R/O Nakash Chouk Hajipur P.S.
Town Dist Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Shekhar Sharma, Advocate
For the State	:	Mr.Arun Kumar Pandey, APP
For the Informant	:	Mr. Abhay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 30-01-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection
with Hajipur Town P.S. Case No.553 of 2024 registered for the
offence punishable under Sections 96 and 8(5) of B.N.S. and
Sections 8 and 12 of the POCSO Act.

3. The case of the prosecution is that the niece of the
informant, namely, Kishu Kumari was living at the house of the
informant. On 31.07.2024 at 11 P.M., two persons on a bike
arrived and they kidnapped Kishu Kumari with an intention to
marry her. When the informant came to know about the
occurrence, he filed the case.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It is further submitted that during course of investigation, the victim has given her statement under Section 164 of the Cr.P.C. wherein she has stated that she was having friendship with Shubham Kumar Sah who resides near the house of her grand parents. On the date of the occurrence, Shubham called her outside the house and she came out. She boarded on a bike. There was one more boy. She sat on the bike and went somewhere. They were apprehended by the police. The petitioner is the other boy who was with Shubham Sah. The main thrust of allegation is against Shubham Sah. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 01.08.2024.

5. The learned counsel for the informant has submitted that parties have compromised the case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-Cum-Special Judge, POCSO, Hajipur, Vaishali in connection with Hajipur Town P.S. Case No. 553 of 2024.

(Ashok Kumar Pandey, J)

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