

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83011 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- BARHIYA District- Lakhisarai

Rahul Kumar, Son of Shankar Yadav, Resident of Village- Aadarsh Laxmipur,
P. S-Barahiya, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibha Devi, Wife of Navin Yadav, Resident of Village- Aadarsh Laxmipur,
P.S. - Barahiya, District- Lakhisarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Advocate
For the State	:	Ms.Anita Kumari, APP
For the Informant	:	Mr. Bijay Kumar Pandey, Advocate
		Mr. Mukesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 31-01-2025 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 Barahiya P.S. Case No. 101 of 2024 registered for the offence punishable under Sections 363, 366(A)/34 of the Indian Penal Code. But charge sheet has also been submitted under Section 6 of POCSO Act and Section 9 of Child Marriage Act.

3. The case of the prosecution is that the informant had gone to her neighbour, meanwhile, her minor daughter, namely, Anshu Kumari was being kidnapped by Rahul Kumar and others.

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 girl was recovered and has given her statement under Section 164 of the Cr.P.C. wherein she has stated that she had gone from her house and she had gone to Bengal with her boyfriend Rahul. They went there by train. They lived there at the house of maternal uncle of petitioner. They had performed marriage. They also had physical relationship. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 24.06.2024.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

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 Act), Lakhisarai in connection with Barahiya P.S. Case No. 101 of 2024.

(Ashok Kumar Pandey, J)

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