

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89163 of 2024

Arising Out of PS. Case No.-467 Year-2023 Thana- BYPASS District- Patna

Mannu Kumar S/O Subhash Chaaudhary R/O Vill.- Begampur, Sidhe Bazar,
P.s.- Bypass, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sunita Devi W/O Ajay Kumar R/at Bahari Begampur Gauriya Asthan, Dist.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo, Advocate
For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 29-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Special
(POCSO) Case No. 57/2024 arising out of Bypass P.S. Case No.
467/2023 registered for the offences under Sections 363/366(A)
of I.P.C.

3. As per the prosecution case, the informant gave her
written report that her minor daughter went to market but she
did not return. Subsequently, she learnt that the co-accused
namely Aditya Kumar had taken away the daughter of the
informant and she was informed by one of the friends of her
daughter namely Sonam Kumari that she was in love with Aditya



Kumar.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Learned counsel further submits that the petitioner is not named in the FIR and his name has subsequently surfaced during the course of investigation. Learned counsel further submits that there is no specific allegation against the petitioner of committing any wrong with the said victim, and in fact the victim in her statement recorded under Section 164 Cr.P.C. has stated that she had gone along with Aditya Kumar and as far as the petitioner is concerned, she has stated that it was the petitioner who had taken her to the doctor for treatment. It is further submitted though notice was sent to O.P. No. 2, but there is no representation either personally or through an Advocate. It is lastly submitted that the petitioner has clean antecedent and is in custody since 12.10.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that it was on the statement of the petitioner that the victim was recovered from the house of the aunt of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the statement of the victim



girl, let the petitioner above-named 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 Additional Sessions Judge-VII-cum-Special Judge (POCSO), Patna in connection with Special (POCSO) Case No. 57/2024 arising out of Bypass P.S. Case No. 467/2023 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. The petitioner shall not approach the informant or any of the family members or the victim girl to either coerce or threaten during the pendency of the trial.
- d. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- e. 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 aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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