

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.88128 of 2024

Arising Out of PS. Case No.-162 Year-2024 Thana- MADANPUR District- Aurangabad

Firdaus Alam @ Firdosh Aalam @ Firdos Alam S/O Md. Jilani Miyan
Resident of village- Budhaul, P.S.- Kasma, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sanjay Verma S/O Late Alakh Mahto R/O Village- Parora, P.S- Madanpur,
Dist.- Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar No.6, Advocate
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP
For the Informant : Mr. Jitendra Kumar Sagar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 08-04-2025 Heard learned counsel for the petitioner, Informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363 and 366A of the Indian Penal Code and later on Section 8 and 12 of the POCSO Act has been added.

3. The case of the prosecution is that the petitioner has kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that



during the course of investigation, victim has been recovered and she has given her statement under Sections 161 and 164 of the Cr.P.C as well. In her statement recorded under Section 161 of the Cr.P.C., she has stated that she was forcibly taken away by the petitioner and established physical relationship with her and in her statement recorded under Section 164 of the Cr.P.C., she has stated that she was on talking terms with the petitioner and she fled away with him on his pressure. There is much contradiction between the two statements of the victim recorded under the aforesaid sections. Further submission is that the victim is not ready for her medical examination and the victim is aged about 18 years. Moreover, the petitioner is languishing in judicial custody since 14.08.2024 having no criminal antecedent.

5. Learned APP appearing for the State has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case and it is a case of elopement, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Madanpur P.S. Case No. 162 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge -VI cum
Special Exclusive Judge (POCSO), Aurangabad.

(Ashok Kumar Pandey, J)

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