

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1732 of 2025

Arising Out of PS. Case No.-209 Year-2022 Thana- GAUNAHA District- West Champaran

Manoj Kuwar @ Manoj Kumar @ Manoj Kunwar Son of Harinarayan Kuwar
@ Hari Narayan Kunwar Village- Aharar Pipra, Ps- Gaunaha, Dist- West
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Akhtari Khatoon wife of Aliyas Khan Village- Aharar Pipra, Ps- Gaunaha,
Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

6 26-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gaunaha P.S. Case No. 209 of 2022 registered for the offences punishable under Sections 363, 366(A) and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the prosecution story, the informant has alleged that on 22.09.2022 at about 09:00 PM when her minor daughter went outside the home for answering the call of nature, petitioner – Manoj Kumar kidnapped her.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. The petitioner and victim girl belongs to the same village and there is inimical term between their family. Petitioner is a man of clean antecedent and he is in custody since 17.10.2023.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. The statement of the victim has been recorded under Section 183 of BNSS in which she had not stated anything against the petitioner. She has clearly stated that petitioner – Manoj Kumar was called by her and she went with him Delhi to by train where she solemnised marriage with him. After completion of investigation chargesheet has been submitted by the police in this case.

7. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII, cum Special Judge (POCSO), West Champaran, Bettiah in connection with Gaunaha P.S. Case No. 209 of 2022 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on



two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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