

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50256 of 2025

Arising Out of PS. Case No.-621 Year-2021 Thana- KOILWAR District- Bhojpur

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Kajal Kumari, D/o Ravindra Rai @ Rabindra Rai, R/o vill- Sakkadi, Paschim
tola, P.S.- Koilwar, Distt.- Bhojpur at Ara

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yashoda Devi, W/o Late Rambabu Nuniya, R/o vill- Sakkadi, P.S.- Koilwar,
Distt.- Bhojpur at Ara

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 21-01-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Koilwar P.S. Case No. 621 of 2021 registered for the offences under Sections 363, 366(A)/34 of the Indian Penal Code.

3. Allegedly on the fateful day, the minor daughter of the informant had gone to attend the coaching class, and when she did not return, the informant and her family members tried to know about her whereabouts and later on they came to know that her daughter has been enticed away by co-accused Rahul Kumar. When the informant went to the house of Rahul Kumar, his parents abused and threatened.



4. Learned Advocate for the petitioner taking this Court through the F.I.R. contended that initially the F.I.R. was instituted against three named accused persons, including Rahul Kumar and his parents, but later on all of a sudden after a year, the victim girl returned and her statement was recorded under Section 164 of the Cr.P.C. wherein she stated that on the alleged date of occurrence on 14.12.2021, it is the petitioner who had persuaded her to sit in the Scorpio vehicle along with Rahul Kumar and later on she was taken to Maharashtra, where some of the persons committed wrongful acts with her. The informant of this case, who is non-else but the mother of the victim categorically stated and filed an application before the court of learned Chief Judicial Magistrate, Bhojpur, Ara that co-accused Rahul might have allured and taken away her daughter and there is no role ascribed to his family members, moreover, the co-accused, Rahul Kumar also died on 27.09.2022. The petitioner is an unmarried woman, having fair antecedent and she undertakes that she will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the complicity of the petitioner is writ large from the statement of



the victim, as recorded under Section 164 of the Cr.P.C.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the statement of the victim, which clearly suggests that the entire allegation revolves around co-accused Rahul Kumar, who had allegedly sold her to some unknown persons and the petitioner is a woman and having fair antecedent, let the petitioner, named above, in the event of her arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th District & Additional Sessions Judge-cum-Special Court, POCSO, Bhojpur at Ara in connection with Koilwar P.S. Case No. 621 of 2021, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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