

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5674 of 2025**

Arising Out of PS. Case No.-903 Year-2023 Thana- DANAPUR District- Patna

Manish Kumar Son of Sri Jitendra Ram Resident of Village- Bibiganj (Old Dead House), Police Station- Danapur, Distt.- Patna

... ... Petitioner/s
Versus

1. The State of Bihar
2. Deepak Kumar Son of Dyani Chaudhary Resident of Village- Bibiganj Tadi Godam New Colony Pachuchak, Police Station- Danapur, Distt.- Patna

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Adv.
For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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

6 29-05-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in connection with Special (POCSO) Case No. 39 of 2024 arising out of Danapur P. S. Case No. 903 of 2023, dated 10.07.2023 instituted for the offences punishable under Sections 363, 366A, 34 and later of added Section 376 of the Indian Penal Code and Section 4 and 6 of the POCSO Act.

3. As per prosecution story, on the alleged date of occurrence the petitioner along with other co-accused persons have kidnapped the daughter of the informant.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has clean antecedent and he is in custody since 24.11.2024. It is further submitted that the informant is neither the eye-witness of the alleged occurrence nor he received information by any one about involvement of this petitioner and his other family members in the alleged occurrence but in spite of that he raised suspicion against this petitioner. It is further submitted that during the course of investigation, the statement of victim has been recorded under Section 164 of Cr. P.C. in which victim has clearly deposed that on 08.07.2023 she left her house without informing anyone and she was in relationship with petitioner, she has further stated that she was not kidnapped by anyone and she has performed her marriage with petitioner on her own will and she is living peacefully at her in-laws house, today she is also present in the Court. It is lastly submitted that after completion of investigation, chargesheet has been submitted against the petitioner.

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

6. Having heard learned counsel for the parties and keeping in view of the aforesaid facts and considering the



statement of victim recorded under Section 164 of Cr.P.C., this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail, **after framing of charge**, 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 7th-cum-Special Judge POCSO, Patna, in connection with Special (POCSO) Case No. 39 of 2024 arising out of Danapur P.S. Case No. 903 of 2023, on further conditions:

- (i) One of the bailors should be close relative of the petitioner.
- (ii) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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