

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10400 of 2025

Arising Out of PS. Case No.-113 Year-2024 Thana- Shivnarayanpur District- Bhagalpur

Amit Kumar Sah S/O Pritam Sah R/o village - Jaitipur, Rampur, P.S- Shiv
Narayanpur, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deep Mala Devi W/O Deo Narayan Sah R/o village - Jaitipur, Rampur, P.S-
Shiv Narayanpur, District- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ambrish Kr Jha

For the Opposite Party/s : Mr.Md. Aslam Ansari

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

ORAL ORDER

3 09-05-2025 Though notice has been issued by both modes to O.P.

No. 2, but no one has turned to assist the Court.

1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail in connection
with POCSO Case No. 207 of 2024 arising out of Shiv
Narayanpur P.S. Case No. 113 of 2024 registered for the offence
punishable under sections 96/3(5) of BNSS and Section 8 of the
POCSO Act.

3. As per allegation in the FIR, on the alleged date of
occurrence, minor daughter of the informant for the purpose of
getting some cloths stitched at Tailor Shop, went out of the



house and did not return. After a long time, informant went to the tailor shop to enquire about her daughter then she came to know that her daughter had not visited there and later it came to her knowledge that petitioner Amit Kumr Sah has enticed her away with a view to marry her. It is further alleged that her daughter had taken away silver and gold ornaments and cash of Rs. 48,000/- from her house.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Statement of the victim girl was recorded u/s 183 of the BNSS in which she has clearly deposed that out of her own sweet will, she left her home because of scolding by her mother and went to Patna by train with the petitioner and stayed there for ten days at a rented room. In her entire statement, she has not stated anything against the petitioner. Doctor submitted medical report in which age of the victim was assessed above 18 years and also pointed out that “there is no physical and chemical injury seen on her whole body including private part.” Petitioner has got clean antecedent and he is languishing in judicial custody since 23.10.2024.

5. The application for bail is opposed by learned APP for the State.



6. Having heard learned counsel for the parties and considering the period of custody undergone by the petitioner, this court is inclined to enlarge him on bail **after framing of charge**. The above named petitioner is directed to be enlarged on bail 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 Exclusive Special Court of POCSO-cum-vii Additional Sessions Judge, Bhagalpur in connection with Shiv Narayanpur P.S. Case No. 113 of 2024.

(S. B. Pd. Singh, J)

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