

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16756 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- SARMERA District- Nalanda

Rambacchan Sharma, aged about 26 years, Male, Son of Shankar Mistri @
Shankar Sharma, Resident of Village- Sarsa P.S.-Lachhuara District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Victim X Daughter of Santu Ram, Resident of Village- Sarmera P.S.-
Sarmera District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate Mr. Neeraj Kumar @ Sunidh, Advocate Mr. Mukund Kumar, Advocate Mr. Ashutosh Kumar, Advocate
For the State	:	Ms. Nirmala Kumari, APP I/C
For the Informant	:	Mr. Raj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

5 02-07-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with
Sarmera P.S. Case No. 14 of 2025 instituted for the offences
punishable under Section 87 of the BNS read with Section 8/12
of the POCSO Act.

3. The allegation against the petitioner is that he
abducted the minor daughter of the informant with an intention
to marry her.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence and has



falsely been implicated in this case. He submits that the alleged date of occurrence is said to be on 18.01.2025 and the written application was made before the police on 20.01.2025, after lapse of two days of the alleged occurrence, there is no any plausible explanation in this regard. Petitioner has got clean antecedent as stated in para 3 of the petition and he is in custody since 25.01.2025.

5. Learned APP for the State and learned counsel for the informant opposed the prayer for bail and submits that there is direct allegation for abduction of minor daughter of the informant by the petitioner.

6. From perusal of the FIR, case diary, statement of the victim recorded under Section 183 of the BNSS and also perused the impugned order dated 20.02.2025 passed by the learned 7th Additional District and Sessions Judge-cum-Special Judge POCSO, Biharsharif, Nalanda it appears that the allegation against the petitioner is that he kidnapped the minor daughter of the informant for the purpose of marriage and the petitioner has stated before the victim in her statement that he has already married. From perusal of the statement recorded under Section 183 of BNSS, the learned Magistrate has assessed the age of victim as 15 years and after conclusion of



the investigation the police submitted chargesheet under Sections 64, 96, 137(2) of the B.N.S. and Section 4 of the POCSO Act against the petitioner, considering which, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

8. The learned trial Court is directed to expedite the trial expeditiously.

(Ramesh Chand Malviya, J)

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