

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27897 of 2025

Arising Out of PS. Case No.-808 Year-2024 Thana- BIHTA District- Patna

Mohit Kumar Son of Laxman Prasad Verma Resident of Village - Garwa,
P.S.- Garhwa, District - Garhwa (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Subhash Yadav Son of Late Ramashish Yadav Resident of Village - Pareb,
P.S.- Bihta, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Advocate.

For the Opposite Party/s : Mr.Umanath Mishra, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-08-2025 Heard learned counsel appearing on behalf of the

petitioner, learned counsel for the informant and learned A.P.P.

for the State.

2. The petitioner seeks regular bail in connection with

Spl. POCSO Case No. 70 of 2025 arising out of Bihta P.S. Case

No. 808 of 2024 for the offence punishable under Sections 96

and 3(5) of the BNS.

3. Allegation is of kidnapping of minor daughter of

the informant on the pretext of marriage.

4. Learned counsel appearing on behalf of the

petitioner submitted that the petitioner is innocent and he has

falsely been implicated in this case. He further submitted that



the petitioner and the victim were in love relationship. The victim in her statement recorded under Section 183 BNSS has stated that she had gone with the petitioner out of her own will and married with him in a temple and she has not alleged anything against the petitioner with regard to physical assault or committing sexual wrong with her. The petitioner is in custody since 20.09.2024 having clean antecedent.

5. Learned counsel appearing on behalf of the informant and learned A.P.P. for the State opposed the prayer for bail. However, they admit that the victim in her statement recorded under Section 183 BNSS has not supported the allegation made in the F.I.R and the victim is living with her father.

6. Considering the allegation made in the F.I.R., as well as, the material surfaced in course of investigation and also the statement of the victim recorded under Section 183 BNSS has not supported the prosecution story, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Danapur, Patna in connection with Spl. POCSO Case No. 70 of 2025 arising out of Bihta P.S. Case No. 808 of 2024, subject to



the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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