

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27472 of 2025

Arising Out of PS. Case No.-368 Year-2024 Thana- MADHUBAN District- East Champaran

Sonu Kumar S/o Shri Harendra Rai @ Harendra Ram R/o Village- Punnas,
P.S- Madhuban (Garahiya OP), Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gaurishankar Rai S/O Bholai Rai R/O Village- Pipra Avan, Ward No.8, P.S- Madhuban (Garahiya O.P) , Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Shrivastava, Advocate.

For the Opposite Party/s: Mr.Manoj Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 06-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Madhuban (Garahaiya) P.S. Case No. 368 of 2024 for the
offence punishable under Sections 96, 352, 351(2), 351(3) and
3(5) of the BNS and Section 8 of the POCSO Act.

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 and both



are major. 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 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 30.01.2025 having clean antecedent.

5. Learned A.P.P. for the State admits that the victim in her statement recorded under Section 183 BNSS has not supported the allegation made in the F.I.R.

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 7th District & Additional Sessions Judge cum Special Judge, POCSO Act, East Champaran, Motihari in connection with Madhuban (Garahaiya) P.S. Case No. 368 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.

7. The bail application stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

