

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33418 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- Kumarbagh District- West Champaran

Sachin Kumar @ Sachin Kumar Ram S/o Nandu Ram @ Madan Ram
Resident Of Village - Kabulapur Tadi Bhathuawa, Dharapur, Tadi @
Bhatuhaha, Ward No 14, Ps - Manpur, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunaina Devi W/o Biltu Sah R/o vill - Tikachhapar, ward no. 9, P.S. -
Kumarbagh, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ram Kishun Prasad, Adv.
For the Opposite Party/s	:	Mr. Abhay Kumar Roy, APP
For the O.P. No. 2	:	Mr. Ashok Kumar Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, learned

A.P.P for the State and learned counsel for the opposite

party no. 2.

2. The petitioner seeks bail in connection with
Kumarbagh P.S. Case No. 11 of 2025 dated 25.01.2025
registered for the offence punishable under Sections 96 and
3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on the
date of occurrence at about 05:00 p.m. informant's daughter
went to attend call of nature. At the same time, the
petitioner and co-accused Govind Kumar kidnapped her



minor daughter and co-accused Govind Kumar took her away to his house with bad intention. After long time, when informant's daughter did not reach home, she left home to search her and the villagers told her about the incident. When she went to the co-accused Govind's House to confirm this, his family members asked her to keep quiet and her daughter will reach home in 2-3 days. Co-accused Govind Kumar reached at the informant's house and threatened to kill her.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that on perusal of the statement of the victim recorded under Section 180 of the B.N.S.S., it reveals that she went with the petitioner on her own sweet will. It is submitted that there is no whisper of any sexual assault against the petitioner. It is submitted that the petitioner is a young boy aged about 20 years. It is further submitted that there is love affairs between the petitioner and the victim girl. Lastly, it has been submitted that the petitioner is in custody since 27.02.2025, having no criminal antecedent and charge-sheet has been submitted in



the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. On the other hand, learned counsel for the opposite party no. 2 vehemently opposed the prayer for bail and submitted that the victim is a minor girl and the petitioner kidnapped her and took her away from her house.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge POCSO-cum-A.D.J.-VIth, West Champaran, Bettiah in connection with Kumarbagh P.S. Case No. 11 of 2025.

(Khatim Reza, J)

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