

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38282 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- BATH District- Bhagalpur

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Varun @ Varun Kumar S/o Singeshwar Paswan R/vill.- Bath, PS- Bath, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pakiya Devi W/o Guli Mandal R/vill.- Desawar, PS- Bath, Distt.- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 22-12-2025 Heard the parties.

2. The petitioner seeks bail in connection with Bath P.S. Case No. 58 of 2024 registered for the offence under Sections 366A of the I.P.C. and Section 8 of POCSO Act.

3. The petitioner is named in the F.I.R. and is in custody since 26.02.2025.

4. The allegation against the petitioner is to kidnap the minor daughter of the informant aged about 15 years on 19.04.2024 at about 10 P.M., for the purpose of illicit intercourse/ marriage.

5. Learned counsel appearing on behalf of the petitioner submitted that victim was in love



affairs with petitioner and while recording her statement under Section 164 of Cr.P.C. she also stated that she went with the petitioner to Sultanganj on her own sweet will, where they solemnized marriage in a temple. It is submitted that the occurrence took place on 19.04.2024 but the FIR was lodged after a delay of five days i.e., on 24.04.2024. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of the statement of victim as recorded under Section 164 of Cr.P.C., where victim negated the allegation of kidnapping and sexual assault against this petitioner, rather stated to solemnize marriage with petitioner, coupled with fact as investigation of this case already completed where petitioner remains in custody since



26.02.2025, accordingly petitioner above named, is directed to be released on bail in connection with Bath P.S. Case No. 58 of 2024 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Addl. Sessions Judge 6th cum Exclusive SPL court of POCSO, Bhagalpur /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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