

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35630 of 2025

Arising Out of PS. Case No.-71 Year-2025 Thana- PATAHI District- East Champaran

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Abhishek Kumar @ Abhishek Yadav S/o Late Vakil Roy @ Late Vakil Ray
R/o Village- Harpur Bakhri, PS- Ahiyapur, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudhir Kumar Singh S/o Ganesh Singh R/o vill- Jihuli, P.S.- Patahi, Distt.- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yugal Kishore, Advocate
For the State	:	Mr. Nirmal Kumar Sinha, APP
For O.P. No. 2	:	Mrs. Rashmi Jha, Advocate
		Mr. Abhishek Kumar, Advocate
		Mr. Sharda Kumar Verma, Advocate
		Mr. Sagar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 14-08-2025 Heard learned counsel for the petitioner, learned

APP for the State and learned counsel for the opposite party no.

2.

2. The petitioner seeks regular bail in connection with Patahi P.S. Case No.71 of 2025, registered for the offences punishable under Sections 96/3(5) of Bharatiya Nyaya Sanhita and Section 8 of the POCSO Act.

3. As per the prosecution case, it is alleged that all the accused persons including this petitioner and 4-5 unknown persons took away the minor daughter of the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Further submission is that the victim in her statement recorded under Section 183 of B.N.S.S. has not made any allegation against the petitioner and she has clearly stated that she on her own will without any pressure left her house. It is submitted that victim is major, however, as per her certificate, she is aged about 17 years 4 months. The charge-sheet has already been submitted in this case and there is no chance of absconding of the petitioner or tampering with the evidence. It is submitted that petitioner has one criminal antecedent which belongs to Excise Act. Petitioner is in custody since 02.04.2025 and he undertakes to cooperate in the trial.

5. Learned APP for the State and learned counsel for the opposite party no. 2 have opposed and submitted that the victim is minor.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released 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 learned 7th District and Additional Sessions Judge-cum-Special Judge, POCSO Act,



Motihari, East Champaran in connection with Patahi P.S. Case
No.71 of 2025.

(Sunil Dutta Mishra, J)

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