

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39069 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- Pastpar Pusthi District- Saharsa

Mithun Kumar @ Tutul Kumar @ Tutul S/O Kusho Sah @ Kuso Sah R/O
Vill Jalaiya, Ward No 2, Ps- Pastpar, Dist- Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Y S/O Z R/O Vill Jalaiya, Ward No 2, Ps- Pastpar, Dist- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratik Mishra
For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-06-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Pastpar P.S. Case No. 12 of 2024 registered for the offence
under Sections 126(2), 115, 352, 351(2), 3(5), 96 of the
Bharatiya Nyaya Sanhita, 2023 and under Sections 8 and 12 of
the POCSO Act.

3. The petitioner is accused of kidnapping the victim
girl. The petitioner is in custody since 10.03.2025.

4. Paragraph No. 14, 15 and 16 of the bail application
reads as follows:-

*14. That even, X was not recovered in the
company of the petitioner. She was apprehended*



and recovered by the police from Arauliya Chowk where she was waiting alone to leave for somewhere and started fleeing on seeing the police on 12.08.2024.

15. That thereafter, the police recorded her statement under section 180 B.N.S.S. in which she has stated inter alia, so far as the petitioner has knowledge, that she left home on pretext of going to cut grass after her mother beat her during a quarrel and went to her female friend at Madhepura. She was apprehended and recovered by the police at Arauliya Chowk and brought to the police station while she was waiting to board an auto for returning home.

16. That X has stated almost on similar lines as her statement before the police in her section 183 B.N.S.S. statement before the court, so far as the petitioner has knowledge.

5. From the statement of the victim girl it appears that she had left her house on her own.

6. Considering the aforesaid facts, this application for bail is allowed.

7. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned concerned Court below, Saharsa in



connection with Pastpar P.S. Case No. 12 of 2024.

8. This application for regular bail stands allowed.

(Sandeep Kumar, J)

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