

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46002 of 2025

Arising Out of PS. Case No.-993 Year-2024 Thana- AGAMKUAN District- Patna

Sudhir Kumar @ Bhola @ Bhola Yadav S/o Surendra Prasad @ Surendra Singh R/o Village- Ranipur Paijawa, P.S.- Bypass, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Girija Devi W/o Ambika Mahto R/o Mohalla- Badi Pahadi, P.S.- Agamkuan, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 23-09-2025 Heard learned counsel for the petitioner and learned APP for the State. No one appears on behalf of the O.P. No.2. Perused the case diary.

2. The petitioner seeks bail in connection with Special (POCSO) Case No. 136 of 2025 arising out of Agamkuan P.S. Case No. 993 of 2024 instituted for the offences under Section 96 of the B.N.S., 2023 and Sections 8/12 of the POCSO Act.

3. As per prosecution case, the petitioner allured and kidnapped the minor daughter of the informant with illegal motive.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. He further submits that there is delay of ten days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that actually there was a love affair between the petitioner and the victim girl and, due to that, she herself left her house and fled away with the petitioner. In the statement recorded under Section 183 of the B.N.S.S., she has not stated anything adverse against the petitioner. The victim girl has refused for her medical examination. The petitioner has no criminal antecedent and is languishing in judicial custody since 04.12.2024 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. He further submits that there is specific allegation against the petitioner of committing kidnapping of the minor daughter of the informant. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Sections Section 96 of the B.N.S., 2023 and Sections 8/12 of the POCSO Act.

6. Having heard rival contention of both the parties



and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also taking into account the statement of the victim girl recorded under Section 183 of the B.N.S.S., 2023, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special (POCSO) Case No. 136 of 2025 arising out of Agamkuan P.S. Case No. 993 of 2024.

(Rudra Prakash Mishra, J)

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