

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64838 of 2025

Arising Out of PS. Case No.-87 Year-2025 Thana- MALAHI District- East Champaran

Arvind Kumar S/O Dipak Mahto R/O Vill.- Malahi Nahar, P.S. - Malahi,
Dist.- East Champaran Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the State : Mr. Manoj Kumar, APP
For the Informant : Mr. Suraj Kumar Tiwari, Advocate
Mr. Akshay Tripathi, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. Petitioner is an accused in connection with Malahi
P.S. Case No.87 of 2025 registered under Sections 137(2), 87
and 3(5) of B.N.S. and Sections 8/12 of the POCSO Act.

3. As per prosecution case, on the alleged date of
occurrence, when the informant woke up in the morning, her
daughter was not present in her room. Later on, the informant
came to know that her daughter was kidnapped by the petitioner
and when the informant went to the house of petitioner, his
family members abused and threatened the informant with dire
consequences.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and he has
been falsely implicated in this case. The victim girl voluntarily
left her house and met with the petitioner and in this regard, the



victim girl has made her statement under Section 180 of B.N.S.S. However, she has made allegation in her statement under Section 183 of the B.N.S.S. mala-fide. There is no allegation with respect to sexual assault against the petitioner. Petitioner has no criminal antecedent and he is in custody since 24.03.2025. Charge sheet has already been submitted after completion of investigation and there is no chance of absconding of the petitioner or tampering with the evidence. Petitioner undertakes to cooperate in the investigation and trial.

5. Learned counsel for the informant and learned A.P.P. have opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case, submissions of learned counsel for the parties as well as the period of custody, let the above named petitioner 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 6th Additional Sessions Judge-cum-Exclusive Special Judge, POCSO Act, East Champaran, Motihari in connection with Malahi P.S. Case No.87 of 2025.

(Sunil Dutta Mishra, J)

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