

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70874 of 2025

Arising Out of PS. Case No.-239 Year-2024 Thana- SATHI District- West Champaran

Lali Kumar Son of Deendayal Patel @ Binadayal Raut Resident of Vill.-
Gokhula, P.S.- Lauriya, Dist- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Samshul Baitha Son of Late Subhan Miyan Resident of Vill.- Satwariya,
P.S.- Sathi, Dist- West Champaran(Bettiah).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 137(2)/87, B.N.S. and Section 8 of the POCSO Act.

3. The case of the prosecution, in short, is that one Sipahi Pandit has kidnapped the minor daughter of the informant. During the course of investigation, victim was recovered and she had given her statement under Section 183 of the B.N.S.S. From the perusal of the order of the learned Trial Court, it is clear that the learned Trial Court has recorded that, on 28.11.2024 at 11.00 am, the victim had gone to a garden



where Sipahi Kumar and the petitioner arrived on his motorbike and and told the victim that her mother had received injuries, she went on the motorbike, after that both of them took her to Ramnagar, where she was kept in house of somebody. From Ramnagar, she was taken to Jaunpur by train and they left her at Jaunpur. She was brought by the brother-in-law of Lali Kumar.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. The learned counsel for the petitioner has further submitted that main thrust of allegation is against one Sipahi Pandit. The name of this petitioner has surfaced in the statement of the victim during investigation. From the allegation made against the petitioner is that he was also there with Sipahi Pandit while taking her to different places. Learned counsel for the petitioner also submits that, from the perusal of the FIR itself, it is clear that that the victim is major and while she is being taken by bike and train, she did not raise any alarm. Moreover, the petitioner is languishing in judicial custody since 11.08.2025 and the petitioner has no criminal antecedents.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.



6. Considering the aforesaid facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sathi P.S. Case No. 239 of 2024 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VII-cum-Special Judge, POCSO, Bettiah, West Champaran.

(Ashok Kumar Pandey, J)

Siddharth
Sagar/-

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