

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81147 of 2024

Arising Out of PS. Case No.-332 Year-2024 Thana- BANKA District- Banka

Mantun Kumar @ Tuntun Kumar Sah S/O Sikandar Sah R/O Village-
Lilagora (Punarvasa), P.O- Dudhari, P.S- Banka, Distt.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sunita Devi W/O Sandi Yadav R/O Village- Lilagora, P.O- Dudhari, P.S- Banka, Distt.- Banka. Resident to village- Baijachalk, P.S- Amarpur, Distt.- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Dhirendra Kumar
For the State	:	Mr.Shailendra Kumar, APP
For O.P. No. 2	:	Mr.Praveen Kumar, Adv. Mr.Ravi Prakash Dwivedi, Adv. Mr.Saurabh Ray, Adv.

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

5 21-08-2025 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Banka P.S. Case No. 332 of 2024, registered for the offences punishable under Section 96 of BNS. Later on, Section 12 of POCSO Act was added.

3. According to the allegation, the mother of the victim lodged F.I.R. stating therein that co-accused Banti Kumar and the petitioner kidnapped her minor daughter.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The victim, in her statement under Section 183 of B.N.S.S., has



stated that the petitioner has no complicity in the alleged occurrence. He has further submitted that, according to the medical report, the age of the victim is 14-16 years, and a margin of plus or minus two years may be considered while assessing the age of the victim.

5. On the other hand, the learned counsel for the informant as well as the learned A.P.P. for the state Mr. Shailendra Kumar has opposed the prayer for bail by submitting that according to the medical report, the victim was minor.

6. The victim in last portion of her statement under Section 183 of B.N.S.S. has stated categorically that the petitioner has no complicity in the alleged occurrence.

7. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-6-cum-Special Judge POCSO, Banka in connection with Banka P.S. Case No. 332 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

kundan/-

U		T	
---	--	---	--

