

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5302 of 2026

Arising Out of PS. Case No.-237 Year-2024 Thana- Kurth District- Arwal

Surendra Das S/o Late Chandrdeep Das R/o village- Gokhulpur, P.S.- Kurtha,
District- Jehanabad Arwal

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XXX W/o YYY R/o vill - Gokhulpur, P.S.- Kurtha, Distt.- Arwal

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Paras Nath, Advocate
Mr. Mukesh Kumar, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 07-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with POCSO Case No. 144 of 2024 arising out of Kurtha P.S. Case No. 237 of 2024 registered for the offence punishable under Sections 96, 352, 351(1), 351(2), 3(5) of the B.N.S., 2023 and Section 8 of the POCSO Act and later on cognizance has been taken under Section 96 of the B.N.S., 2023 and Sections 4/17 and 6/17 of the POCSO Act.

3. The case of the prosecution, in short, is that the minor daughter of the informant had gone to the fields and when she did not return, she was being searched. The informant came to know that one Vivek Das has kidnapped her. It is further



alleged that when the informant went to complain, the petitioner along with his wife abused him.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that the only allegation against the petitioner is that he has abused the informant when he has gone to complain. There is no allegation of kidnapping against the petitioner. He further submits that the wife of the petitioner has been granted anticipatory bail by the learned coordinate bench of this court passed in Cr. Misc. No. 6617 of 2026. The case of this petitioner stands on similar footing. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 12.12.2025.

5. The application for bail is vehemently opposed by the learned counsel for the informant and the learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-VI-cum-Exclusive Special Judge, (POCSO Act), Jehanabad in connection with POCSO Case No. 144 of 2024 arising out of Kurtha P.S. Case No. 237 of 2024.

(Ashok Kumar Pandey, J)

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