

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6442 of 2026

Arising Out of PS. Case No.-57 Year-2025 Thana- FALKA District- Katihar

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Ajay Kumar Gupta S/o- Sanjay Gupta @ Sanjay Prasad Gupta Village- Rahta
Ward No- 3 Rahta road PS- Falka District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. ABC S/o- XYZ Village-Road Rahta PS- Falka District- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Preety Kunwar, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

4 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Falka
P.S. Case No. 57 of 2025 instituted for the offences under
Sections 126(2), 115(2), 137(2), 96, 352 and 3(5) of the
Bharatiya Nyaya Sanhita and Section 4/6 of the POCSO Act.

3. The petitioner is alleged to have kidnapped the
daughter of the informant. The girl was recovered and in her
statement under Section 183 of BNSS she states that she had left
the house voluntarily.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 09.06.2025 and
has got no criminal antecedent.



5. Learned A.P.P. for the State and counsel for the informant has vehemently opposed the prayer for grant of bail to the petitioner and stated that the girl was a minor and her consent would not matter.

6. There is no allegation of any act of the petitioner in enticing away the girl. Considering that the boy is aged about 20 years with no criminal antecedent and there is a hint of relationship between the parties, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge, VI cum Special Judge, POCSO, Katihar/concerned Court in connection with Falka P.S. Case No. 57 of 2025.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Ansul, J)

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