

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7061 of 2026**

Arising Out of PS. Case No.-271 Year-2025 Thana- HUSSAINGANJ District- Siwan

Suddu Kumar @ Sudu Thakur @ Sudu Kumar, Son of Om Prakash Thakur,  
Resident of vill-Tikri, PS-Hussainganj ,Dist- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
  2. X Wife of Y Resident Of Village- Pratappur, Ps- Hussainganj, Dist- Siwan
- ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs. Kumari Anupam, Advocate  
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

4      24-06-2026                      Heard Mrs. Kumari Anupam, learned counsel  
  
                                         appearing on behalf of the petitioner and Mr. Bharat Bhushan,  
  
                                         learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Hussainganj P.S. Case No. 271 of 2025 registered for the offence punishable under Sections 137(2), 96 of the BNS and Sections 8/17 of the POCSO.

3. As per the allegation made in the FIR, the petitioner, along with the other co-accused persons, allegedly administered a sedative-laced laddoo (sweet) to the informant's minor daughter, due to which, she became unconscious and subsequently kidnapped her with the intention of committing a wrongful act.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. Petitioner is aged about 18



years and he is a student. The minor victim girl returned back on 18.07.2025 and her statement under Section 183 BNSS was recorded on 22.07.2025, as such, there is every possibility that the minor daughter of the informant might have been tutored. Learned counsel further submits that the petitioner has just emerged as an adult being aged about 18 years and the victim is aged about 17 years and at this stage, natural attraction for the opposite sex cannot be denied coupled with the several psychological and physiological change a person undergoes. He further submitted that the petitioner, at this tender age, was unaware of the rigors of the POCSO Act and the legal consequences arising out of a relationship with a minor. The petitioner has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and having perused the allegation made in the FIR, as well as, considering the age of the petitioner and the victim, who are student and known to each other. At the petitioner age, who has just emerged as an adult, is not expected to know the rigors of the wrong act, which is alleged against him. At the



same time, considering four day delay, it become possible that the victim may have been tutored by her parents and medical report don't show sign of any aggravated sexual assault. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Hussainganj P.S. Case No. 271 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

**8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.**

**(Purnendu Singh, J)**

Niraj/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

