

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6497 of 2026

Arising Out of PS. Case No.-239 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Kundan Kumar S/O Sri Raj Kumar Rai R/O Village- Hakimbad, P.S- Mufassil
Samastipur, Distt.- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Chote Lal Choudhary S/O Late Ramji Choudhary R/O Village- Hakimbad,
P.S- Muffasil Samastipur, Distt.- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Shivam, Adv.
For the Opposite Party/s	:	Mr.Umesh Lal Verma, APP
For the Informant	:	Mr.Hemant Ray, Adv.
		Mr.Sharad Kumar Verma, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

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

2. The petitioner seeks bail in connection with
Samastipur Muffasil P.S. Case No. 239 of 2023 instituted for the
offences under Sections 363, 366-A, 504 and 34 of the I.P.C and
Sections 8 and 17 of the POCSO Act.

3. The allegation is that the petitioner kidnapped the
minor daughter of the informant. The instant case being
Samastipur Muffasil P.S. Case No. 239 of 2023 was lodged. In
her statement under Section 183 of BNSS the lady has not
alleged any sexual misconduct against the petitioner.

4. Learned counsel for the petitioner reveals that after
completing 18 years, the girl married with the petitioner again.
The petitioner is in custody since 14.07.2025 and has got one



criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the Informant Mr. Hemant Rai has vehemently opposed the prayer for grant of bail to the petitioner stating therein that at the time when the girl was admittedly a minor and thus a case of kidnapping was made out.

6. Considering the marriage of 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 Additional Session Judge-VI cum Special Court POCSO, Samastipur/concerned Court in connection with Samastipur Muffasil P.S. Case No. 239 of 2023.

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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