

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7709 of 2026

Arising Out of PS. Case No.-219 Year-2024 Thana- ISHAKCHAK District- Bhagalpur

Buchanva @ Sonu, Male aged about 25 years, Son of Govardhan Mandal @ Gabardhan Mandal, Resident of Mohalla- Ishakchak, Near Mangla Kalisthan, P.S.- Ishakchak, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXXXXXXX resident of Ishakchak, Vyayamshala, P.S.- Ishakchak, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Purushottam Kumar Das, Advocate
For the Opposite Party/s :	Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 18-05-2026 Heard learned counsels for the both the parties through virtual mode.

2. The petitioner seeks bail in connection with POCSO case no. 216 of 2024 arising out of Ishakchak P.S. Case No. 219 of 2024 instituted for the offences punishable under Section 87 of the BNS, 2023 and Sections 4 and 8 of the POCSO Act.

3. As per allegation in the FIR, petitioner is alleged to have kidnapped the minor grand daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He further submits that the



occurrence took place on 25.09.2024 and the FIR has been lodged on 06.10.2024 after a delay of 12 days of the alleged occurrence and there is no plausible explanation in this regard. He next submits that the victim is the student of class 6 and her date of birth is 04.06.2013 as stated in the impugned order. He lastly submits that her neighbor Buchanva @ Sonu eloped the grand daughter of the informant and the petitioner has three children with his first wife, who has died. He again submits that his second wife is staying with her parents and the petitioner is characterless person as mentioned in the FIR. He finally submits that the victim in her statement recorded under Sections 180 and 183 of the BNSS, has not supported the allegation made in the FIR. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 07.10.2024.

5. Learned APP for the state opposes the prayer for the regular bail of the petitioner and submits that the victim was a minor at the alleged date of occurrence, so he is directly involved for kidnapping of the minor grand daughter of the informant.

6. From perusal of the case diary, FIR and also perused the impugned order dated 07.11.2025 passed by the learned Exclusive Special Court of POCSO-cum-District and



Additional Sessions Judge- VI, Bhagalpur, it appears that allegation against this petitioner is specific that petitioner eloped with the minor grand daughter of the informant and the allegation is very serious in nature, so I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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