

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7459 of 2025

Arising Out of PS. Case No.-169 Year-2023 Thana- PIPRA District- East Champaran

Chunnu Kumar S/O Raju Ram Resident of village - Vediban, Madhuban, P.S-
Pipra, District- East Champaran. Petitioner/s

Versus

1. The State of Bihar.
2. Vinita Devi W/O Jitu Ram Resident of village - Vediban, Madhuban, P.S-
Pipra, District- East Champaran. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 20-01-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in

connection with Pipra P.S. Case No. 169 of 2023 registered for

the offences punishable under Sections 363, 366(A) of the Indian

Penal Code and Section 8 of POCSO Act.

3. The allegation against the petitioner is to kidnap the

minor daughter of the informant aged about 15 years from her

home in early morning while she was sleeping and seduced/ forced

her to enter into illicit intercourse or marriage with another person.

4. It is submitted by learned counsel appearing on

behalf of the petitioner that out of acquaintance on request of the



daughter of the informant, the petitioner with her visited Delhi and when they came to know about lodging of this case, the daughter of the informant returned from there. It is submitted that during course of investigation, the statement of victim was recorded under Section 164 of Cr.P.C., where she categorically stated that she went with petitioner out of her own sweet will. She completely denied the allegation of kidnapping and said that they returned on 15th of June, 2023. She also denied to have any physical relationship or to solemnize marriage with petitioner.

5. While arguing further, it is submitted that police submitted final form against petitioner considering mistaken of fact but by taking a different note, the learned Jurisdictional Magistrate took cognizance against the petitioner vide order dated 01.08.2025.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of fact as the victim totally denied kidnapping or any sexual assault being minor against petitioner, coupled with the fact that police submitted closure report against petitioner, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge Cum Special Judge POCSO Act, Motihari/concerned Court, where the case is pending in connection with Pipra P.S. Case No. 169 of 2023 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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