

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8402 of 2026

Arising Out of PS. Case No.-355 Year-2025 Thana- MOTIHARI TOWN District- East
Champan

=====

Priyanshu Kumar @ Suraj Kumar @ Suraj S/O Ajay Chaubey @ Ajay Kumar
Chaubey R/O Village- Krishna Nagar, P.S- Town, Distt.- East Champan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/O Village- Barakagaon, P.S- Pakridayal,
Distt.- East Champan.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
		Mr. Harsha Shashwat, Advocate
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 137(2), 96
and 3(5) of BNS and Section 8 of the POCSO Act.

The case of the prosecution is that the petitioner has
kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that during course of
investigation, the victim was recovered and she has given her
statement recorded under Sections 180 and 183 of BNSS.



Learned counsel has further submitted that from perusal of the order of the learned trial court, it will transpire that the learned trial court has recorded that on 27.04.2025, she fled away with this petitioner from her hostel and went to Delhi with him. At the time of event/occurrence, she was minor and as per her matriculation mark sheet, her D.O.B. is 15.12.2007. Learned counsel has further submitted that from perusal of the order of the learned trial court, it is clear that the victim has herself gone with the petitioner from her hostel out of her own will and this petitioner has not kidnapped her. He has also submitted that the victim has not made any allegation against the petitioner in respect of sexual assault with her. Moreover, as per her matriculation mark sheet, she is on the verge of turning eighteen. A statement has been made in para-3 of this petition that the petitioner has got one criminal antecedent. Moreover, he is languishing in judicial custody since 20.12.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with



Town P.S. Case No. 355 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th District and Additional Sessions Judge-cum-Exclusive Special Judge, POCSO Act, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

lata/-

U		T	
---	--	---	--

