

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13509 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- BARUN District- Aurangabad

Sumit Kumar S/O Radheshyam Saw R/O Village- Siris, Bhopatpur, P.S.-
Barun, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/O Y R/O Village- Fatepur, P.O- Siris, P.S- Barun, Distt.- Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Anand, Advocate
For the Opposite Party/s	:	Mr. Rajendra Nath Jha, APP
For the Informant	:	Mr. Binod Kumar Pandey, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 14-07-2026 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Barun
P.S. Case No. 02 of 2026, instituted for the offences punishable
under Sections 96, 137 of the Bharatiya Nyaya Sanhita, 2023,
read with Sections 8 and 12 of POCSO Act.

3. The prosecution case, in short, is that the petitioner
allegedly enticed away the informant's minor daughter on the
pretext of marriage after she left for school.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case.



Learned counsel for the petitioner also submits that the petitioner has been arrested only on the basis of suspicion. It is next submitted that the petitioner had not taken away the victim rather she herself went to Gayaji and was living with her friends. It is further submitted that the victim has not mentioned anything against the petitioner in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. No specific allegation has been attributed against the petitioner by the victim. The petitioner is in custody since 18.01.2026 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barun P.S. Case No. 02 of 2026, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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