

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14844 of 2025

Arising Out of PS. Case No.-29 Year-2023 Thana- TURKAULIYA District- East Champaran

Nandan Kumar S/O Rakesh Baitha, Resident of Vill- Dhabahi, P.S- Harsidhi,
Distt.-East Champaran. Petitioner/s

Versus

1. The State of Bihar.
2. Sangita Devi W/O Gyanchand Sahani R/V - Jaishnpur Ghoraghat, P.S. -
Turkauliya, Dist - East Champaran. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

7 08-01-2026 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 Turkauliya P.S. Case No. 29 of 2023

registered for the offences punishable under Section 363 of

the Indian Penal Code and Sections 6 and 8 of the POCSO

Act, 2018.

3. The allegation against the petitioner is to kidnap

the minor daughter of the informant for the purpose of illicit

intercourse/marriage.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that the allegation is appearing very much general and omnibus and as the daughter of the informant was in love with petitioner, she left her parental home on her own. In support of his statement, learned counsel submitted that the allegation of sexual assault and kidnapping is not appears available through statement of victim as recorded under Section 183 of the BNSS. Petitioner claimed clean antecedent.

5. Learned APP could not disputed the aforesaid factual aspects.

6. In view of aforesaid factual submissions and by taking note of fact as the victim categorically stated that she left her parental home on her own and nothing stated, which may suggest that she was sexually assaulted by this petitioner while recording her statement under Section 183 of BNSS, rather stated that she solemnized marriage with one another person, namely, Neeraj Yadav, 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 6th Additional Sessions Judge cum Ex. Special Judge, POCSO Act, East Champaran, Motihari/concerned Court, where the case is pending in connection with Turkauliya P.S. Case No. 29 of 2023 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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