

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17797 of 2026

Arising Out of PS. Case No.-387 Year-2025 Thana- SUPAUL District- Supaul

Darshan Singh Son of Late Hanshraj Resident of Village - Chhan, Dhan, P.O.
- Matlahad Tahasil Jwali, Police Station - Jwali, District - Kangada, State -
Himachal Pradesh.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XXXXX (Mother of the Victim) W/o Md. Nisarul R/o Village - Ghuran,
Police Station - Supaul, Dist. - Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate.
For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 15-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with POCSO Case No. 90 of 2025 arising out of Supaul P.S.
Case No. 387 of 2025 registered for the offence punishable
under Sections 96 and 137(2) of the B.N.S., 2023 and 4 and 6 of
the POCSO Act.

3. The case of the prosecution, in short, is that the
minor daughter of the informant was missing, and the
complainant/informant suspects that the named accused persons,
namely Tasmun, Md. Mahfooz, and Md. Nazim, have kidnapped
and sold her daughter.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that during the course of the investigation, the victim was recovered, and she has given her statement recorded under Section 183 of the BNSS, wherein she has stated that she was taken to Supaul by one Tabassum, and from Supaul, Rakesh and Chandan took her to Mediya, and from Mediya to Gorakhpur. She was taken to the house of one Amarchand, and there she was married to the petitioner. She has further stated that she lived with the petitioner for three months. Darshan Singh and his family have kept her properly, and no misbehavior was done with her, and she is happy with the petitioner. He also submits that during the course of the investigation, medical examination was also conducted, and the age of the victim was found to be between 18 and 19 years. He further submits that the statement of the victim recorded under Section 183 of the BNSS clearly shows that she has got no grievance against the petitioner. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 03.10.2025.



5. The application for bail is opposed by learned APP for the State and has stated that during the course of investigation, one co-accused namely, Chandan has given his confessional statement wherein he has stated that he was sold to the petitioner.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-cum-Special Judge, POCSO Act, Supaul in connection with POCSO Case No. 90 of 2025 arising out of Supaul P.S. Case No. 387 of 2025.

(Ashok Kumar Pandey, J)

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