

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19905 of 2026

Arising Out of PS. Case No.-93 Year-2025 Thana- BIRPUR District- Supaul

=====

Suman Kumar Sharma @ Suman Kumar @ Anu Kumar S/o- Shivshankar
Chaupal R/V- Nathpatti Ward no 8 PS-Balua Bazar Dist- Supaul

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XXXXX S/o- YYYY R/v- Nathpatti, W.No-8, Ps- Balua Bazar Dist- Supaul

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.
For the Opposite Party/s : Mr. Nirmal Kumar Sinha

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-07-2026 Heard the parties.

2. The petitioner apprehends his arrest in connection with Birpur (Balua Bazar) P.S. Case No 93 of 2025 for the offence registered under sections 96 and 3(5) of BNS, 2023 and later on charge sheet submitted against other co-accused u/s 96, 64(1) and 3(5) of BNS and Section 4 and 6 of POCSO Act.

3. As per the prosecution story, the informant alleged that on 15.03.2025, his minor daughter went for tuition but later disappeared, the informant came to know about the role of the petitioner and others that they have taken her on a Scorpio vehicle. This led to the FIR.

4. Earlier, notice was issued to the opposite party no. 2 and as per the office notes dated 16.06.2026, it has been



validly served on him.

5. Learned counsel for the petitioner submits that the statement of the victim girl is on record wherein she has stated that due to a verbal fight with the elder sister, she left the place, went to Basmatiya and then to Jogbani and later, stayed in the aunt's house of the petitioner. Upon knowledge of the kidnapping case by her father, she returned and gave the statement to the Police.

6. Learned APP though opposes the prayer concede that the girl has narrated the case in a different manner.

7. Taking into account the aforesaid facts as also that the petitioner is only eighteen years of age and has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of District and Additional Sessions Judge-cum-Special Judge, POCSO Act, Supaul in connection with Birpur (Balua Bazar) P.S. Case No 93 of 2025 subject to condition as laid down under Section 438(2)



of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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

