

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20428 of 2026

Arising Out of PS. Case No.-332 Year-2025 Thana- RAJAPAKAR District- Vaishali

Gautam Kumar, aged about 19 years, Male, Son of Chandeshwar Singh,
Resident of Village- Barua Bahuara P.S.- Rajapakar (Baranti O.P.) District-
Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXXXXXXX, Resident of Randaha Ward No-14, P.S.-Baranti District-
Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Bela Singh, Advocate Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 24-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Rajapakar (Baranti O.P.) P.S. Case No. 332 of 2025 instituted
for the offences punishable under Sections 137(2), 96 of the
BNS and Section 8 of the POCSO Act.

3. As per allegation in the FIR, the daughter of the
informant was kidnapped by the petitioner for the pretext of
marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case only on the basis of
suspicion. He submits that the entire allegation is based on



presumption and there is no material to suggest that the petitioner used any force, threat or coercion to do the wrong to the so called victim. He further submits that nobody has abducted / kidnapped the daughter of the informant while she herself left her house. He next submits that the so-called victim has already been recovered. Petitioner has got clean antecedent as stated in para 3 of the petition and he is in custody since 23.09.2025.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. From perusal of the FIR, case diary, statement of the victim recorded under Section 183 of the BNSS and the impugned order of the learned District and Additional Sessions Judge-VI-cum-Special Judge POCSO, Vaishali at Hajipur dated 05.02.2026, it appears that petitioner is named in the FIR. From perusal of the records, it also appears that on the basis of written report of the informant (mother of the victim), FIR has been registered under Sections 137(2), 96 of the BNS and Section 8 of the POCSO Act against the present petitioner and the allegation is of kidnapping the daughter of the informant on the pretext of marriage. It also appears that the victim has recovered and stated her statement before the learned Magistrate under



Section 183 of the BNSS that she was with love and affection with the present petitioner and voluntarily went with the present petitioner at Nepal and also stated no any sexual assault or no any coercion or abduction upon the victim, so considering all these aspects of the case and submission of learned counsel for the petitioner, I am inclined to grant regular bail to the above named petitioner.

7. Accordingly the prayer for bail of the above named petitioner is allowed. Let the petitioner above named be released on regular bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Vaishali at Hajipur in connection with Rajapakar (Baranti O.P.) P.S. Case No. 332 of 2025.

(Ramesh Chand Malviya, J)

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