

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24995 of 2026**

Arising Out of PS. Case No.-669 Year-2025 Thana- JAMUI District- Jamui

Abhishek Kumar, S/o Late Dara Singh, R/o Village - Khairi Rampur, P.S. -
Jamui, Dist. - Jamui.

... .. Petitioner

Versus

1. The State of Bihar
2. XXX, S/o XXXX, R/o Village - Khadi Grram Bangama, P.S. - Barhat, Dist.
- Jamui.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Senior Advocate Mr. Vijay Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Pandey, APP
For the Informant	:	Mr. Satya Prakash Parasar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 15-07-2026 Heard learned senior counsel for the petitioner and

learned Additional Public Prosecutor for the State duly

assisted by learned counsel appearing for the informant.

2. The accused/petitioner seeks bail in connection

with Jamui P.S. Case No.669 of 2025 registered for the

offences punishable under Section 96 of the Bhartiya Nayay

Sanhita, 2023 and Section 4 of the Protection of Children

from Sexual Offences Act (in short 'POCSO Act').

3. The accused/petitioner is named in the FIR and

is in custody since 06.01.2026.

4. Allegation against petitioner is to kidnap the



minor daughter of informant aged about 14 years for the purpose of marriage/marriage with another person.

5. It is submitted by Mr. N.K. Agrawal, learned senior counsel appearing for petitioner that the daughter of informant was in love with petitioner and as her relationship was not approved by her parents/informant, the present false case was lodged. In this context, it is submitted that out of her love affairs, the daughter of informant left her parental home on her own and joined the petitioner and thereafter solemnize their marriage. It is said to be supported through statement recorded under Section 180 of the BNSS. However, she stated differently while recording her statement under Section 183 of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS') under influence of her parents. It is submitted by Mr. Agrawal that even the medical report does not support the allegation, as no injury seen upon victim after her medical examination and in support of his submission, Mr. Agrawal drawn attention towards paragraph no.88 of the case diary. Arguing further, it is submitted that till date only charge has been framed and



not a single witness was examined and, therefore, there is all probabilities that trial of this case shall not conclude within provisioned timeline of one year as available under Section 35(2) of the POCSO Act.

6. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

7. Learned APP duly assisted by Mr. Satya Prakash Parasar, learned counsel appearing for informant while opposing the prayer of bail submitted that the allegation is specifically available against petitioner but, he could not dispute the contradiction between the statement of victim as recorded under Section 180 and 183 of the BNSS, as pointed out by Mr. Agrawal, discussed aforesaid.

8. In view of aforesaid factual submissions and by taking note of fact, as there is major contradictions *qua* occurrence out of statement of victim recorded under Sections 180 and 183 of the BNSS, coupled with the fact that the progress of trial is sufficient to suggest that same is



not likely to conclude in near future, accordingly, the petitioner, above-named, who is in custody since 06.01.2026, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO), Jamui in connection with Jamui P.S. Case No.669 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

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