

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25776 of 2026

Arising Out of PS. Case No.-318 Year-2024 Thana- DHAKA District- East Champaran

Asharfi Sah @ Asharfi Lal Prasad, aged about 51 years(M), S/o Late Janki Sah @ Janak Sah, Resident of village - Dhaka Ramchandra, P.S.- Dhaka, Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. XX W/o YY R/o vill - Dhaka Ramchandra, P.S.- Dhaka, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Ganesh Prasad Singh, APP
For the Informant	:	Mr. Dhannjay Kumar-No.2, Advocate
		Ms. Sonalika Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

6 21-07-2026 Heard learned counsel for the petitioner, learned APP for the State, learned counsel for the Informant, the statement of the victim girl recorded under Section 183 of the BNSS as well as perused the case diary.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 137(2), 96 and 3(5) of the BNS and later on Section 4 of the POCSO Act.

3. Allegation against the petitioner is to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next



submits that there is money dispute between the informant and the petitioner, therefore, the informant filed complaint case no.288 of 2024 against the petitioner and his wife, namely, Kanti Dev as stated in para-11 of the petition. He next submits that the victim girl recorded under Section 183 of the BNSS, it appears that the victim has not stated any sexual assault against the petitioner. Petitioner is in custody since 20.02.2026.

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

6. In view of the aforesaid submissions as made by learned counsel for the petitioner as well as the fact that no sexual assault against the petitioner, so let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th District & Additional Sessions Judge-cum-Exclusive Special Judge POCSO Act, East Champaran, Motihari, Bihar in connection with Dhaka P.S. Case No. 318 of 2024.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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