

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28419 of 2026

Arising Out of PS. Case No.-396 Year-2021 Thana- PARBATTa District- Khagaria

Rupesh Kumar Roy S/o Late Anil Roy R/o Village - Dumariya Khurd, Ward
no. 5, P.S.- Parbatta, Distt.- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX S/o Late YY R/o Village - Nayagaon, Yadav Tola, P.S. - Parbatta, Dist. -
Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 363 of IPC and
later on Section 366(A) of IPC has been added and Section 4 of
the POCSO Act.

3. The case of the prosecution is that the petitioner has
kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that during course of
investigation, the victim was recovered and she has given her
statement recorded under Sections 161 and 164 of the Cr.P.C.
wherein she has stated that she has gone with the petitioner on her



own volition and she solemnized marriage with the petitioner. Learned trial court has also recorded that the victim has given her statement under Section 164 of Cr.P.C. wherein she has stated that she herself has gone with the petitioner and has solemnized marriage with him. Learned counsel has submitted that parties have compromised their case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 23.03.2026.

5. Learned counsel for the informant has also conceded to the argument of learned counsel for 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 released on bail in connection with Parbatta P.S. Case No. 396 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act, Khagaria.

(Ashok Kumar Pandey, J)

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