

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31582 of 2026

Arising Out of PS. Case No.-710 Year-2025 Thana- GAYA MUFASIL District- Gaya

Sonu Kumar @ Sonu Kumar Singh, S/o- Dipak Singh, RO Village- Kulti, PS-
Kulti, District- Bardhaman

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX W/o- YYY R/v- Rabin Toli Ps- Muffasil Dist- Gayaji

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Syed Asgher Najmi, Advocate Ms. Richa Mohan, Advocate Mr.Ashutosh Kumar Mishra, Advocate
For the Opposite Party/s :		Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 01-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State. However, no one has entered appearance on
behalf of the opposite party no.2 despite valid service of notice.

2. In the present case, the petitioner seeks bail in
connection with Gaya Mufassil P.S. Case No. 710/2025,
registered for the offences under Sections 96/65(1) of BNS and
Section 4/6 of POCSO Act.

3. As per the prosecution case, the minor daughter of
the informant went missing and subsequently, the name of the
petitioner transpired in this case as the person who was
instrumental in enticing away the minor daughter of the
informant and sexually assaulting her.



4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. From the FIR, it is apparent that the missing girl used to talk using the mobile phone of this petitioner. The girl has been recovered and in her statement recorded under Section 180 of BNSS, she stated that she left her house on her own after quarrel with her father and brother. However, in her statement recorded under Section 183 of BNSS, she has made allegation against the petitioner that he enticed her away and established relationship with her. But the medical report of the victim shows she is aged about 18-19 years and no recent sign of intercourse was found. The learned counsel further submits that it appears to be a case of love affair between the petitioner and the daughter of the informant and considering the age of the victim, there could be no application of Sections 4/6 of POCSO Act. The petitioner is in custody since 11.09.2025 and is having clean antecedents. The charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. The learned APP submits that the victim is minor and the petitioner enticed her away and established physical relationship with her.



6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the nature of allegation and further considering the period of custody of the petitioner and his clean antecedent and also considering the submission of charge-sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO-cum- Additional Sessions Judge-VI, Gaya Ji/court concerned, in connection with Gaya Muffasil P.S. Case No. 710 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled



by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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