

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31976 of 2026

Arising Out of PS. Case No.-53 Year-2025 Thana- AKBARNAGAR District- Bhagalpur

Anish Kumar S/O Ram Khelawan Mandal R/O Vill.- Damodarpur, Ward no. 7, P.S.- Akbarnagar, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/O YYY R/O Vill.- Damodarpur, Ward no. 7, P.S.- Akbarnagar, Dist.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kumar Sinha, Advocate
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

301-07-2026

Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Akbarnagar P.S. Case No. 53 of 2025, registered for the offences under Sections 87 of the BNS and further added Section 96 of the BNS and Section 4/6 of the POCSO Act.

3. As per the prosecution case, the daughter of the informant was enticed away by the petitioner giving her inducement of marriage.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been

falsely implicated in this case. The victim girl left her house on her own as the victim and the petitioner were in love. When the family members of the victim girl did not agree for her marriage to the petitioner, both of them left their house and went to Gujarat where they solemnized marriage and started staying there. The victim girl recorded her statement under Section 183 of the BNSS to this effect. The victim girl also refused to undergo any medical examination. Learned counsel further submits that petitioner is having clean antecedent and he is in custody since 04.11.2025. Charge sheet has been submitted.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the statement of the victim girl and also considering submission of charge sheet, period of custody and clean antecedent of the petitioner, 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 Court of POCSO-cum-District & Additional Sessions Judge-VI, Bhagalpur/concerned court, in connection with Akbarnagar P.S. Case No. 53 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)

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