

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32697 of 2026

Arising Out of PS. Case No.-804 Year-2025 Thana- NAWADA District- Nawada

=====

Tuntun Kumar @ Bipul Kumar Son of Late Ramsaran Prasad @ Ramsaran
Yadav Resident of Mohalla - Rajendra Nagar, Nawada, Police Station -
Nawada Town in the district of Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX Wife of YY Resident of Mohalla - Rajendra Nagar, Nawada, Police
Station - Nawada Tonw in the district of Nawada.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
		Mr. Shashi Bhushan Singh, Advocate
For the Opposite Party/s	:	Mr. Arjun Prasad No.1, Advocate
For the State	:	Mr. Jagdhar Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

- 3 28-07-2026 Heard learned Senior Counsel for the petitioner,

learned Counsel for the Informant and learned APP for the State.

2. The present criminal miscellaneous application has

been filed under Sections 483 and 484 of the Bharatiya Nagarik
Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS,
2023’) for grant of regular bail to the petitioner who is in
custody in connection with POCSO Case No. 99 of 2025,
arising out of Nawada Town P.S. Case No. 804 of 2025, lodged
on 26/07/2025, under Sections 137(2), 140(3), 3(5) of the
Bhartiya Nyaya Sanhita, 2023 and under Sections 4/6 of
POCSO Act.



3. As per the prosecution, FIR has been lodged by the mother of the victim alleging that the petitioner has fled away with the informant's minor daughter by inducing her.

4. Learned Senior Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that antecedent of the petitioner is clean and he is in custody since 16/04/2026 without any fault. Counsel submits that case diary as well as statement of the victim recorded under Section 183 of the BNSS was called for. Counsel submits that as per his information, she has not deposed anything against the present petitioner. Counsel further submits that FIR has been also lodged only by virtue of suspicion. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned Counsel for Informant, on the other hand, vehemently opposes the prayer for bail of the petitioner and submits that the allegation of kidnapping is there with a view to marry. Counsel submits that the daughter of the informant is minor and, therefore, POCSO has been added in this case.

6. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that on the previous occasion, case diary was called for along with statement under



Section 183 of the BNSS.

7. Upon perusal of the statement recorded under Section 183 of the BNSS, the victim girl has deposed that she herself went to her maternal grandfather's house and did not allege anything against the present petitioner.

8. In the present facts and circumstances of this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned District and Additional Sessions Judge-cum-Special Judge, POCSO Act, Nawada, in connection with POCSO Case No. 99 of 2025, arising out of Nawada Town P.S. Case No. 804 of 2025 subject to the conditions as laid down U/s 480(3) of the BNSS, 2023.

(Dr. Anshuman, J)

Mkr./Anshuman/

U		T	
---	--	---	--

