

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32400 of 2026

Arising Out of PS. Case No.-14 Year-2026 Thana- PIYAR District- Muzaffarpur

Shekhar Kumar S/o- Shankar Sah R/v- Chhapra Gobindpur Ps- Piar Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Dev, Advocate

For the Opposite Party/s : Mrs.Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 12-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with POCSO GR No. 49 of 2026 arising out of Pear P.S. Case No. 14 of 2026, registered for the offences under Sections 137(2) and 87 of the BNS.

3. As per the prosecution case, the minor sister of the informant did not return from her school and the informant came to know about the petitioner from his mobile number mentioned on the copy of the sister of the informant. Subsequently, the informant came to know that the petitioner enticed away his minor sister.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. True fact of the case are that the sister of the informant was in love with the petitioner and both of them went to Patna and from there they moved to Delhi and started living in Narela Industrial Area. The sequence of events



shows the victim girl eloped with the petitioner voluntarily and for ten days they lived together but no complaint was made. However, after she was brought back by the police and she came into contact with her family members, she recorded her statement before the police under influence of her family members. The medical report of the victim girl does not show any act of violence being committed against the victim. In her statement recorded under Section 183 of the BNSS, the victim girl stated that the petitioner has solemnized marriage with her and thereafter they established sexual relationship. Learned counsel further submits that petitioner is aged about 20 years and was studying along with the sister of the informant. The petitioner has got clean antecedent and he is in custody since 03.02.2026. Charge sheet has been submitted but without incorporation of any of the provisions of POCSO Act.

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 age of the petitioner, his period of custody and 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 Court-III, dealing with Rape Cases & Cases under POCSO Act, Muzaffarpur/concerned court, in connection with POCSO GR No. 49 of 2026 arising out of Pear P.S. Case No. 14 of 2026, 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)

Anuradha/-

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

