

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36267 of 2026**

Arising Out of PS. Case No.-61 Year-2026 Thana- NAUHATTA District- Saharsa

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1. Shiv Kumar S/O Surat Paswan Resident of Village- Ram Nagar, Bharna ward No. 09, P.S- Natuhatta, Distt.- Saharsa, Bihar.
 2. Mannu Sah S/O Jitan Sah Resident of Village- Ram Nagar, Bharna ward No. 09, P.S- Natuhatta, Distt.- Saharsa, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/O Y R/O Village- Ekadh Ward No. 01, P.S.- Nauhatta, Distt.- Saharsa (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Amarnath Jha, Advocate
For the Opposite Party/s	:	Mr.Sanjay Kumar Pandey, APP Mr. Ashwani Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 28-07-2026 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Nauhatta P.S. Case No. 61 of 2026, registered for the offences under Sections 96, 3(5) of the BNS and Section 8,12 of the POCSO Act.

3. As per the prosecution case, the petitioners tried to run away with the minor daughter of the informant but they were apprehended by the villagers who gave a thrashing to the petitioners and handed them over to the police.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have



been falsely implicated in this case. The petitioners had gone to attend the marriage ceremony in the village of the informant and merely on suspicion they were handed over to the police. The statement of the victim girl has been recorded under Section 183 of the BNSS wherein she stated that she went to attend the marriage ceremony where two boys told her that they would drop her to her house but the villagers caught hold of these two boys and beat them. The victim girl further stated that the two boys did not do anything wrong with her and they were good boys. Learned counsel further submits that the petitioners are in custody since 10.03.2026 and charge sheet has been submitted. The petitioners have not criminal antecedent.

5. Learned A.P.P. appearing for the State and learned counsel for the informant oppose the submission made on behalf of the petitioners. Learned counsel for the informant submits that the petitioners tried to take away the minor daughter of the informant with wrong intention.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the nature of allegation and also considering the clean antecedent of the petitioners, submission of charge sheet and period of custody, the petitioners are 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 Additional Sessions Judge-VI-cum-Special Judge, POCSO, Saharsa/concerned court, in connection with Nauhatta P.S. Case No. 61 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 petitioners.

(ii) The petitioners 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 petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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