

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36343 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- KOPA District- Saran

Amir Ali @ Golu S/o Md. Mobin R/o Village - Kopa Dakshin Tola, P.S -
Kopa, District - Saran, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pathal Rai S/o Late Shivdarash Rai R/o Village - Kopa Dakshin Tola, P.S -
Kopa, District - Saran, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arif Daula Siddiquie, Advocate
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-07-2026 Heard learned Counsel for the petitioner 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 Kopa P.S. Case No. 02 of 2026, lodged on 01.01.2026, under Sections 96/3(5) of the Bhartiya Nyay Sanhita, 2023, pending in the Court of learned Exclusive Special Additional Sessions Judge (POCSO), Saran at Chapra. Later on, offence under Sections 8/18 of the POCSO Act has been added.



3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioner. Specific allegation against the petitioner is of abducting the minor grand-daughter of the informant.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner is in custody since 25.01.2026 having no criminal antecedent. He submits that charge sheet has already been submitted against the petitioner. He submits that the granddaughter of the informant was in love relationship with the petitioner and with her own free will she went with the petitioner. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that there is specific allegation of abduction of minor granddaughter of the informant.

6. Considering the serious nature of allegation, this Court is not inclined to grant bail to the petitioner **at present**. Hence, the prayer for bail of the petitioner is hereby refused.

(Dr. Anshuman, J)

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