

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41564 of 2026

Arising Out of PS. Case No.-461 Year-2025 Thana- TRIVENIGANJ District- Supaul

Subhash Sardar S/o Sikendra Sardar R/o Village - Machaha, Ward No. 11, P.S
- Triveniganj, District - Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/o YYY R/o Village - Machaha, Ward No. 10, P.S - Triveniganj,
District - Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murari Narain Chaudhary, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard Mr. Murari Narain Chaudhary, learned
counsel for the petitioner and Mr. Uday Pratap Singh, learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
19.09.2025, in connection with POCSO Case No. 135 of 2025
arising out of Triveniganj P.S. Case No. 461 of 2025, F.I.R.
dated 05.09.2025 registered for the offences punishable under
Sections 137(2), 96, 140(3) and 3(5) of the B.N.S., 2023.

3. Allegation against the petitioner is that he along
with other co-accused persons have kidnapped the informant's
daughter and kept at unknown place for the purpose of selling.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Sections 180/183 of the B.N.S.S. in which she has fully supported the case of the prosecution and apart from that the date of birth of the victim is 15.08.2012 which suggests that at the time of occurrence the victim was minor and the medical report of the victim is that *“No sin of physical assault or fighting sign found. Hymen cut through 3‘O’ Clock position. Hence, Rape can not be ruled out”* which suggests that the victim has physically assaulted by the petitioner.

6. Considering the nature of allegation supported by the victim in her statement recorded under Sections 180/183 of the B.N.S.S. as well as medical report, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No. 135 of 2025 arising out of Triveniganj P.S. Case No. 461 of 2025 pending in the Court of learned District & Additional Sessions Judge-VI cum Special Sessions Judge, POCSO,



Supaul/Incharge Successor Court.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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