

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45838 of 2025

Arising Out of PS. Case No.-725 Year-2022 Thana- BANKA District- Banka

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Nandu Das @ Nandu Kumar Das S/o Chulhay Das Resident of vill-
Nimatarh, P.S and Distt- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Yogendra Yadav S/o Nankeshar Yadav R/o vill- Nimatarh, P.S.and Distt-
Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 19-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in
connection with Banka P.S. Case No. 725 of 2022 registered for
the offence under Section 363, 366(A), 34 of I.P.C. and Section
12 of the POCSO Act.

3. As per the prosecution case, petitioner is
accused of kidnapping a minor girl.

4. It has been submitted by the learned counsel for
the petitioner that the petitioner is innocent and he has falsely
been implicated in this case. It is next submitted that petitioner
and the victim have got married and they have two children.



Learned counsel next submits that the victim is not minor and she has made her statement under Section 183 B.N.S.S. in the court of Special Judge, POCSO Act. Petitioner has clean antecedent.

5. Learned counsel for the informant submits that the informant who is the father of the victim has filed a compromise petition also.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the above submissions, I am of the view that this application is disposed of with liberty to the petitioner to move a fresh application before the Special Judge who shall examine the entire facts of the case. If the statement of the victim girl is in favour of the petitioner and if it is found that the victim has got married to the petitioner and has two children, the bail bond of the petitioner shall be accepted and if its found otherwise, the bail bond of the petitioner shall not be accepted.

8. Accordingly, this application stands disposed of.

(Sandeep Kumar, J)

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