

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49615 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- PIPRAKOTHI District- East Champaran

Mithlesh Kumar son of Devendra Paswan Village- Dhekaha Bishunpur, Ps-
Pipra kothi, dist- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] Village- Dhekaha Bishunpur, Ps-
Pipra kothi, dist- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 10-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 96 & 3(5) of the BNS and under Section 8 of the POCSO Act.

3. The case of the prosecution, in short, is that the minor daughter of the informant has gone for coaching classes. Meanwhile, she was returning from coaching class, the petitioner along with others have kidnapped the minor daughter of the informant. It is further stated in the FIR that the minor daughter of the informant has withdrawn Rs.10,000/- from bank today itself.



4. Learned counsel for the petitioner submits that from perusal of the FIR itself it is clear that the informant is not the eye-witness and he has not disclosed that from where he got this information. Learned counsel for the petitioner has submitted that though the victim is yet traceless, regarding this, S.P., Motihari was given direction to search the victim. S.P., Motihari has filed a report and in that report at Paragraph '8' he has recorded that *"during investigation it was found that mobile no. 7418053079 and mobile no. 9576060343 both stands on the name of the accused Rajan Kumar. Mobile No. 9576060343 was given by Rajan to the victim. It was found that there was continuous call record in between both the numbers from 04.03.2025 to 11.03.2025 and after eloping of victim girl mobile no. 9576060343 is switched-off."* Learned counsel for the petitioner has further submitted that from perusal of the FIR it is clear that the nature of allegation is general and omnibus and from the report of the S.P., Motihari it is clear that the victim has eloped with Rajan Kumar and there is no role of this petitioner who is cousin of Rajan. Learned counsel for the petitioner has lastly submitted that the petitioner is having no criminal antecedent and he is in judicial custody since 13.03.2025.

5. Learned APP appearing for the State has



vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pipra Kothi P.S. Case No. 82 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional District and Sessions Judge-cum-Exclusive Special POCSO Act, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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