

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50027 of 2025

Arising Out of PS. Case No.-559 Year-2022 Thana- RAMNAGAR District- West Champaran

Navin Kumar S/O Laxman Sah R/O Village- Bada Baritarpur, P.S- Motihari
Town, Distt.- East Champaran, Bihar. Petitioner/s

Versus

1. The State of Bihar.
2. Gopal Sah, S/O Shukul Sah, R/O village- Turaha Toli, Ward No.-04, P.S-
Ramnagar, Distt.- West Champaran, Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mayank Mohan, Advocate
For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 06-01-2026 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in

connection with Ramnagar P.S. Case No. 559 of 2022 registered

for the offences punishable under Sections 363, 366(A), 341,

323, 504, 506/34 of the Indian Penal Code and Section 8 of

POCSO Act.

3. As per FIR, named co-accused persons alongwith

three unknown persons including this petitioner kidnapped the

minor daughter of the informant, aged about 16 years for the

purpose of illicit intercourse/marriage with another person.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that the daughter of the informant was in love with co-accused Chandan Kumar and she left her parental home on her own and, thereafter, solemnized marriage with co-accused Chandan Kumar and living a happy married life. It is submitted that considering all such aspects and the nature of allegation, which was raised in very general and omnibus manners against other co-accused persons, the named co-accused Kundan Kumar was granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 9480 of 2023 dated 07.08.2023 and, therefore, as a matter of judicial parity, this petitioner also deserves bail. It is further pointed out that victim while recording statement under Section 164 of Cr.P.C. failed to support the prosecution case.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as similarly situated co-accused person, namely, Kundan Kumar has already granted bail by one of the learned co-ordinate Bench of this Court as discussed aforesaid, coupled with the fact that victim could not supported the case of prosecution while recording her statement under Section 164 of Cr.P.C., accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period



of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District & Sessions Judge-VII-Cum-Special Judge, POCSO, Bettiah, West Champaran/concerned Court, where the case is pending in connection with Ramnagar P.S. Case No. 559 of 2022 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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