IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62481 of 2026

CNR No. BRHC010860432026

Arising Out of PS. Case No.-201 Year-2026 Thana- RAMGARHWA District- East Champaran

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Guddu Kumar Son of Late Rajdeo Chaurasiya R/O Village- Bairiya, P.S.- Ramgarhwa, Distt.- East Champaran

... ... Petitioner/s

Versus

1. The State of Bihar
2. Ram Singar Sahani Son of Late Bigu Sahani R/O Village- Bairiya, P.S.- Ramgarhwa, Distt.- East Champaran

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shamir Mehra, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

4 04-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Ramgarhwa P.S. Case No. 201 of 2026 instituted for the offence under Sections 137(2), 96 and 3(5) of the B.N.S., 2023 and Section 8 of the POCSO Act.

3. The case of the prosecution, in short, is that the petitioner has kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has

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committed no offence. He has falsely been implicated in this case. He further submits that during the course of investigation, the victim was recovered, and her statements under Sections 180 and 183 of the BNSS were recorded. In both her statements, she has stated that she and the petitioner were in courtship. On 03.04.2026, she left her house and went to Nepal along with the petitioner, where they resided in a rented room. When she came to know that a case had been filed, she returned back. Learned counsel for the petitioner submits that the statements of the victim recorded under Sections 180 and 183 of the BNSS goes to show that she herself had gone with the petitioner due to her relationship. Moreover, a statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks' from today and in the event of his arrest or surrender in connection with Ramgarhwa P.S. Case No. 201 of 2026, he will be enlarged on bail on furnishing bail bond of Rs.

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10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th District & Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran at Motihari subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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