IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64209 of 2026

CNR No. BRHC010898642026

Arising Out of PS. Case No.-83 Year-2026 Thana- AMBA District- Aurangabad

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Alok Kumar, S/O Manoj Paswan, R/O Village- Imli Bigha, P.S.- Amba, District- Aurangabad (Bihar).

... ... Petitioner/s

Versus

1. The State of Bihar
2. X, W/O Y, R/O Pirajpur, P.O.- Baliya, P.S.- Amba, District- Aurangabad (Bihar).

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Rakesh Singh, Advocate
For the State : Mrs.Anita Kumari, APP
For the O.P.No.2 : None.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 29-10-2026 Heard learned counsel for the petitioner and learned APP for the State. However, there is no representation on behalf of the opposite party no.2.

2. In the present case, the petitioner seeks bail in connection with Amba P.S. Case No. 83 of 2026, registered for the offences under Sections 96 & 137(2) of BNS and Sections 8 & 12 of POCSO Act.

3. As per prosecution case, the minor daughter of the informant left her house after being scolded by her mother and the informant came to know about the petitioner and co-accused Manjeet Kumar, who enticed her daughter away.

4. Learned counsel appearing on behalf of the

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petitioner submits that the petitioner is innocent and has been falsely implicated in this case. From the FIR itself, it is evident that the girl left her house after she was slapped by her mother and scolded for talking with the petitioner. Learned counsel further submits that the victim girl left her house on her own and went with the petitioner and both of them solemnized marriage. In her statement under Section 183 of BNSS, the victim girl specifically stated that she voluntarily left her home and went with the petitioner and he did not commit any wrongful act with her. The petitioner is aged about 21 years and he is in custody since 07.07.2026 and is having clean antecedent. Charge sheet has been submitted.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the voluntary nature of act of the victim girl, who is stated to be aged about 17 years, the age at which the girl develops sufficient maturity and further considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand

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Only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Exclusive Judge (POCSO), Aurangabad/concerned court, in connection with Amba P.S. Case No. 83 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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