IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68806 of 2026

CNR No. BRHC010960242026

Arising Out of PS. Case No.-249 Year-2025 Thana- SONBERSHA RAJ District- Saharsa

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Raunak Kumar Singh @ Rounak Kumar Singh @ Tinku @ Pinku Kumar @ Pintu Kumar S/O Pankaj Kumar Singh @ Pankaj Kumar @ Pankaj Singh R/O Vill.- Dehad, Ward no. 3, P.s.- Sonbarsa Raj, Dist.- Saharsa.

... ... Petitioner/s

Versus

1. The State of Bihar
2. XXXX Through her legal guardian YYYY R/O Vill.- Barail, Ward no. 4, P.S. and Dist.- Supaul.
3. AAAA S/O BBBB R/O Vill.- Behat, Ward no. 12, P.s.- Sonbarsa Raj, Dist.- Saharsa.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mrs. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

3 06-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. Despite valid service of notice upon opposite party no. 2, there is no representation on her behalf.

03. In the present case, the petitioner seeks bail in connection with Sonbarsa Raj P.S. Case No. 249 of 2025 registered for the alleged offences under Sections 96, 137(2), 352, 351(2), 351(3) r/w 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 18 of the POCSO Act.

04. As per prosecution case, minor niece of the

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informant was enticed away by the petitioner and the co-accused persons helped the petitioner in his act.

05. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It was a case of love affair between the petitioner and the victim and the girl eloped with the petitioner out of her sweet will. Learned counsel reiterates that it is a case of adolescent love as the petitioner is aged about 18 years and has been studying in Class-12 whereas the girl has been studying in Class-10. The girl went with the petitioner on 15.12.2025 and she returned on 17.12.2025. She was medically examined but the report rules out any kind of physical or sexual harassment. Her age was assessed to be 18-20 years by the same board. The victim girl also recorded her statement under Section 180 of BNSS as well as under Section 183 of BNSS and she did not made any complaint against the petitioner in her statement under Section 180 of BNSS. However, she made some allegation against the petitioner in her statement under Section 183 of BNSS about the petitioner molesting her in train journey but the same is not believable. The narration of the event shows it was a voluntary act on part of the victim girl. The petitioner has got no criminal antecedent and is in custody since

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18.12.2025. The charges have been framed against the petitioner.

06. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that there is specific allegation against this petitioner.

07. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the age of the petitioner as well as the victim and further considering more or less the voluntary nature of act of the victim girl and also considering the period of custody of the petitioner, his clean antecedent and framing of charge against him, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Court (POCSO), Saharsa/court concerned in connection with Sonbarsa Raj P.S. Case No. 249 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

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

(ii) The petitioner will remain present on each and

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every date fixed by the court below.

(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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