

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71530 of 2025

Arising Out of PS. Case No.-105 Year-2025 Thana- BELHAR District- Banka

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Pawan Kumar @ Pawan Kumar Yadav S/O Bijay Yadav Resident Of Village -
Chakwera, P.S- Sangrampur, Dist.- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruby Devi W/O Sri Krishnadev Turi R/O Vill.- Sinpur Tola Pasiya, P.S-
Belhar, Dist.- Banka.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Satish Kumar Singh, Advocate
For the State	:	Mrs.Usha Kumari 1, APP
For O.P. No. 2/Informant :	:	Mr. Prabhat Ranjan Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 17-01-2026 Heard learned senior counsel for the petitioner and

learned APP for the State as well as learned counsel appearing

on behalf of opposite party no. 2/informant.

02. In the present case, the petitioner seeks bail in
connection with Belhar P.S. Case No. 105 of 2025 registered
for the alleged offences under Sections 126(2), 115(2), 352,
351(2), 3(5), 96 of B.N.S., Sections 3(1)(r)/3(2)/va of SC/ST
(Prevention of Atrocities) Act and later on, Section 64 B.N.S.
and Section 4 of POCSO Act were also added.

03. As per prosecution case, the minor daughter of the



informant was enticed away by the petitioner and when the informant and her husband approached the family members of the petitioner, they were assaulted and threatened by them.

04. Learned senior counsel for the petitioner submits that the petitioner has falsely been implicated in this. The victim girl has been recovered and her statement under Section 183 of B.N.S.S. was recorded, wherein she has specifically stated that she went on her own with the petitioner and solemnized marriage with him. The age of the victim girl has been assessed as 16 years by the learned Judicial Magistrate. However, the Medical Board assessed her age to be 17-19 years. It shows the victim girl was at the verge of majority and it is a case of love affair between the petitioner and the victim girl. The petitioner has got fair antecedent. The petitioner is in custody since 29.05.2025 and cahрге sheet has been submitted.

05. Learned APP as well as learned counsel appearing on behalf of O.P. No. 2/informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the victim girl is minor as is clear from her school certificate. She was below 16 years on the date of occurrence and the report of Medical Board could not be believed against documentary evidence. The petitioner enticed



away a minor girl.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the voluntary nature of the act of the victim girl of an age at which a girl attains sufficient majority and also considering the submission of charge sheet against the petitioner, his clean antecedent and period of custody, 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 Judge, POCSO, Banka/concerned Court in connection with Belhar P.S. Case No. 105 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also 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 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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