IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74485 of 2026

CNR No. BRHC011026722026

Arising Out of PS. Case No.-737 Year-2024 Thana- GAYA MUFASIL District- Gaya

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Sourabh Bharti @ Saurabh Bharti S/o Binod Giri R/o Village - Bhusunda, Balapar, Bhadeja, P.S - Gaya Muffasil, District - Gaya, Presently R/o Village - Bahauri Bigha, P.S - Karai Parsurai, District - Nalanda at Biharsharif

... ... Petitioner/s

Versus

1. The State of Bihar
2. XXX W/o YYY R/o Village - Bhusunda Balapar Bhadeja, P.S - Gaya Muffasil, District - Gaya

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Aryan Singh
For the State : Ms. Meena Singh
For O.P. No. 2 Mr. Ujjawal Kumar Singh
Mr. Arvind Kumar Sinha

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

3 20-11-2026 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 137(2) and 87 of the B.N.S., and Sections 4 and 6 of the POCSO Act.

3. Petitioner is said to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case

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although he happens to be the brother-in-law of the victim. It is further submitted that as a matter of fact, there was a matrimonial discord between the petitioner and his wife, who is the elder sister of the present victim and on account of such reasons, the petitioner has been falsely implicated in the present case. The age of the victim has also assessed to be between 18 to 19 years and there is no specific assertion of any sexual activity having been done with her nor the medical evidence shows any recent signs of sexual intercourse. Further, the petitioner is in custody since 06.08.2026, charge-sheet has been submitted and he undertakes to cooperate in the trial.

5. Learned counsel for the opposite party no. 2 also does not oppose the present application as the matter is within the family.

6. Taking into consideration the facts and circumstances and also considering the fact that the petitioner happens to be the own brother-in-law of the victim and the medical examination does not indicate any act of sexual intercourse etc., let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is

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pending/successor court in connection with Gaya Muffasil P.S. Case No. 737 of 2024.

(Soni Shrivastava, J)

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