

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72988 of 2025

Arising Out of PS. Case No.-293 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Amresh Kumar Ram @ Kumresh Kumar Ram @ Kamlesh Son Of Harendra
Ram Resident Of Village - Loharpatti, P.s.- Kuchaikote, Dist.- Gopalganj
Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arjun Kumar Singh S/O Umesh Kumar Singh R/O Vill.- Loharpatti, P.O.-
Nechuajalalpur, P.S.- Kuchaikote, Dist.- Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Srivastava, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 10-03-2026 Despite valid service of notice, no one appeared on
behalf of Opposite Party No.2.

2. Heard Mr. Ranjan Kumar Srivastava, learned
counsel for the petitioner as well as Mr. Sanjay Kumar Sharma,
learned Additional Public Prosecutor for the State.

3. Petitioner seeks bail who is in custody since
29.01.2025 in connection with Kuchaikote P.S. Case No. 293 of
2024, F.I.R. dated 06.07.2024 for the offences punishable under
Sections 87 and 96 of the Bharatiya Nyay Sanhita, 2023 and
Section 4/6 of the POCSO Act.

4. According to prosecution case, the informant
alleged that the petitioner along with other accused persons



came in a vehicle during night and kidnapped his niece, namely, Shivani Singh.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. Infact the victim was deposed in POCSO Case No.41 of 2025 as PW-1 on 31.07.2025 and she has not supported the case of the prosecution (Annexure-2) and it appears from the deposition of the victim that she has become hostile and the petitioner is in custody since 29.01.2025.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances and the fact that the victim did not support the case of the prosecution in her deposition before the learned trial court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-VI-cum-Special Judge, POCSO, Gopalganj in connection with Kuchaikote P.S. Case No. 293 of 2024, subject



to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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