

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73932 of 2025

Arising Out of PS. Case No.-694 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Akash Kumar S/o Late Birendra Yadav @ Balindra Yadav Resident of village
- Serthua, P.S - Makhdumpur, Tehta O.P, District - Jehanabad

... .. Petitioner

Versus

1. The State of Bihar
2. X S/o Withheld R/o Village - Withheld, Tola - Salempur, P.S - Kako
Bhelawar O.P, District - Jehanabad

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Mungeshwar Kumar. Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, A.P.P.
For the Informant	:	Mr. Amar Jyoti Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 19-03-2026 Heard learned counsel for the petitioner Mr. Mungeshwar Kumar, learned counsel for the informant Mr. Amar Jyoti Sharma and learned Additional Public Prosecutor Ms. Nirmala Kumari for the State.

2. Petitioner seeks bail who is in custody since 13.05.2025 in connection with Makhdumpur (Tehta OP) P.S. Case No. 694 of 2023 for the offences punishable under Sections 363, 366(A), 365, 376, 376(3), 370(4), 372, 373, 120(B) and 34 of IPC, Sections 4,6, 8 of POCSO Act and Sections 8 and 9 of Immoral Traffic (Prevention) Act and Sections 9,10 and 11 of Child Marriage Prohibition Act.

3. The prosecution case, in brief, is that her daughter



went to take coaching class on 03-11-2023 but did not return and she is a minor aged about 14 years and student of class 9, he further alleged that after searching, he came to know him that one Akash Kumar (petitioner) and Ankit Kumar with their common intention taken her daughter by enticing her with bad intention, as such, the informant got full faith and belief that petitioner took away her daughter.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. The learned Additional Public Prosecutor and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant submits that the statement of victim was recorded under Section 183 of BNSS on videoconferencing where she has stated that the petitioner has committed rape upon her. Apart from that the petitioner has also sold the victim to another person and also the medical report of the victim support the allegation as alleged in the FIR.



6. Considering the aforesaid facts and circumstances of the present case, I am not inclined to enlarge the petitioner on bail arising out of Makhdumpur (Tehta OP) P.S. Case No. 694 of 2023 pending in the court of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Jehanabad.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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