IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74936 of 2026
CNR No. BRHC011071152026
Arising Out of PS. Case No.-179 Year-2025 Thana- PHENHARA District- East Champaran

==========

Sunil Kumar S/o Omprakash Thakur @ Omprakash Sharma R/o Village - Kalu Pakar, ward No. 05, P.S - Fenahara, District - East Champaran
... ... Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y R/o Village - Mankarwa, P.S - Fenahara, District - East Champaran , Mob - 7461080358

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar, Adv
For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

==========

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 04-11-2026 Heard Mr. Kundan Rathore @ Kundan Kumar, learned counsel appearing on behalf of the petitioner and Mr. Lalan Kumar, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Fenahara P.S. Case No. 179 of 2025, registered for the offence punishable under Sections 96, 3(5) of the BNS and Section 8 of the POCSO Act.

3. As per the allegation made in the FIR, petitioner along with other accused persons, had allegedly kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. Petitioner is not named in the FIR. He further submits that there is contradiction in the

WEB COPY

statement of the survivor, who in her statement recorded under Section 180 BNSS, has not named the petitioner that he is the one, who had kidnapped her, however, she, in her statement recorded under Section 183 BNSS, after having been tutored by her parents, named the petitioner that he is the one, who had abducted her and committed wrong with her. On these grounds, petitioner having clean antecedent, seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR and the information contained in the impugned order and taking into consideration the statement of the survivor recorded under Section 183 BNSS, wherein she has supported the prosecution case, who is minor aged about 13 years, I am not inclined to enlarge the petitioner on pre-arrest bail.

7. Accordingly, the present bail application stands rejected.

(Purnendu Singh, J)

Niraj/-

U		T	

WEB COPY