

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75890 of 2025

Arising Out of PS. Case No.-140 Year-2023 Thana- DULHIN BAZAR District- Patna

Govindra Kumar @ Govinda Kumar Son of Rajdev Chaudhari @ Raodev Chaudhari R/o Village - Fatehpur, P.S. - Dulhin Bazar, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. X Son of Late Munni Sao R/o Village - Badki Kharma, P.O. - Lala Badsara, P.S. - Dulhin Bazar, Dist. - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Sinha, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP
For the O.P. No. 2	:	Mr. Virendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Special (POCSO) Case No. 234 of 2025 arising out of Dulhin Bazar P.S. Case No. 140 of 2023 registered for the alleged offences under Section 366(A) of the Indian Penal Code and later on added Section 8 of the POCSO Act.

03. As per prosecution case, the minor daughter of the informant went missing and the informant came to know about the petitioner who was having friendly relationship with her daughter and he showed his suspicion that his daughter eloped with the petitioner.

04. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that the statement of the victim girl was recorded under Section 164 of Cr.P.C. wherein she stated that she has been knowing the petitioner for last 3-4 years and they liked each other. On 19.04.2023, she eloped with the petitioner and solemnized marriage with him. They stayed in Delhi for one year and after returning, she has been staying in her matrimonial home. Learned counsel further submits that the statement shows there was no wrongful act on part of the petitioner. The victim herself left her house on her own and went with the petitioner to solemnize marriage. The petitioner is in custody since 29.07.2025 and charge-sheet has been submitted. The petitioner is having clean antecedent.

05. Learned APP for the State as well as learned counsel for the informant oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that if the daughter of the informant has solemnized marriage with the petitioner, the informant has nothing to say in the matter. However, learned counsel submits that the daughter of the informant was minor at the time of occurrence.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the voluntary nature of act of the victim girl who is aged about 17



years and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, 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-VII-cum-Exclusive Special Judge, POCSO Act, Patna/court concerned in connection with Special (POCSO) Case No. 234 of 2025 arising out of Dulhin Bazar P.S. Case No. 140 of 2023 , subject to the conditions mentioned in Section 480(3) of BNSS and 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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