

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76772 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- BIHRA District- Saharsa

Chandan Kumar @ Chandan Kumar Ram S/o Ram Kumar Ram R/o Village -
Purikh, Ward No. 8, P.S- Bihra, District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sita Ram Yadav S/o Suraj Yadav R/o Village - Purikh, Ward No. 5, P.S-
Bihra, District - Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Chandra Shekhar, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

6 19-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bihra
P.S. case No. 112 of 2025 instituted for the offences under
Sections 137(2), 96, 24 of the B.N.S. and Section 4 & 6 of the
POCSO Act (initially registered u/s 96(3)(5) of the B.N.S.).

3. Prosecution case, in short, is that on 16.05.2025, the
informant's 17-year-old daughter went to Pachgachhiya State
Bank to withdraw money but, did not return home. On search, it
was learnt that villagers Chandan Kumar (petitioner) and his
friend Raj Kumar had allegedly lured and kidnapped her.

4. Counsel for the petitioner fairly submits that the



statement recorded by the victim girl under Section 183 of the B.N.S.S. in which the petitioner is said to have been implicated, while during course of trial, the victim is said to have recorded the statement contrary to the statement made under Section 183 of the B.N.S.S. wherein it has been said that the victim was in love affair with the petitioner for last two years and she has denied the allegation of sexual assault, which would be evident from the statement of the victim girl (P.W.1) recorded under the deposition in course of trial.

5. Counsel for the petitioner further submits that in this case, the trial has commenced and the charge-sheet has also been filed. The petitioner is in custody since 20.05.2025 and has no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard learned counsel for the parties and considering the fact there is a contradiction in the statement of the victim girl recorded under Section 183 of the B.N.S.S. and the statement recorded during trial as P.W.1 as also the period of custody of the petitioner having no criminal antecedent, let the petitioner 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 Special Judge, POCSO,
Saharsa in connection with Bihra P.S. case No. 112 of 2025.

(Ajit Kumar, J)

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