

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80033 of 2025

Arising Out of PS. Case No.-89 Year-2024 Thana- RAMPUR HARI District- Muzaffarpur

Md. Nirale, Son of Mohammad Sadik, Resident of Village – Madaripur, Ward
No.- 10, P.S.- Rampurhari, Distt.- Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar
2. X, Son of Late Sukhlal Mahto, Resident of Village - Madaripur Chowk,
Ward No.- 10, P.S.- Rampurhari, Distt.- Muzaffarpur.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Ashok Kumar Jha, Advocate
For the State	:	Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 26-02-2026 Heard learned counsel for the petitioner
and learned Additional Public Prosecutor for the
State.

2. The accused/petitioner is named in the
FIR and apprehending his arrest in connection with
Rampurhari P.S. Case No.89 of 2024 registered
under Sections 363 and 366-A of the Indian Penal
Code but, subsequently, cognizance has been
taken under Sections 363, 366-A, 354 of the Indian
Penal Code as well as Section 8 of the Protection of
Children from Sexual Offences Act, 2012 (in short
'POCSO Act').

3. As per FIR, the informant raised



suspicion that his daughter aged about 18 years was kidnapped by petitioner for the purpose of illicit intercourse/marriage.

4. It is submitted by learned counsel appearing for petitioner that the victim while recording her statement under Section 164 of the Code of Criminal Procedure (in short 'Cr.P.C.') has categorically denied the allegation of kidnapping and sexual assault rather she stated that she went to visit '*Gadha Mela*'. It is also stated by her that she left her house on her own after a domestic dispute with her mother. Learned counsel further pointed out that the victim categorically stated that this petitioner has no role in alleged occurrence. Petitioner claimed clean antecedent.

5. Learned APP opposed the prayer of bail.

6. In view of aforesaid factual submissions and by taking note of fact as victim has categorically denied kidnapping and sexual assault against petitioner, who is a man of clean antecedent, accordingly, the petitioner, above-



named, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-6th-cum-Exclusive Special Court of POCSO-I, Muzaffarpur in connection with Rampurhari P.S. Case No.89 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

Sanjeet/-

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