

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79066 of 2025

Arising Out of PS. Case No.-6 Year-2025 Thana- PHENHARA District- East Champaran

Jai Karan Kumar, S/o Sona Lal Ram @ Sonelal Ram, Resident of Village-Madhurapur, P.S.- Phenhara, Dist.- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. X, W/o Y, Resident of Village-Madhurapur, P.S.- Phenhara, Dist.- East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner/s :	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s :	Mr. Uma Shankar Prasad Singh, APP
For the O.P. No.2 :	Ms. Urmila Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State duly assisted by learned counsel appearing for O.P. No.2.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Phenhara P.S. Case No.6 of 2025 registered under Sections 137(2), 96 of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.') and Section 8 of the Protection of Children from Sexual Offences Act.

3. Allegation against petitioner is to kidnap the minor daughter of informant along with other co-accused



persons/family members.

4. It is submitted by learned counsel appearing for petitioner that during investigation, the statement of victim was recorded, where she categorically negates any allegation *qua* kidnapping and sexual assault against petitioner rather she stated that she solemnized marriage with petitioner and living happily somewhere in Haryana. It is pointed out that from her statement, it appears that her date of birth is 2007 and as parent was not caring her and was forcing her to solemnize the marriage with a person of 35 years old, she left her house on her own. The petitioner claimed clean antecedent.

5. Learned APP duly assisted by learned counsel appearing for informant could not dispute the aforesaid submission made through statement of victim recorded under Section 183 of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

6. In view of aforesaid factual submissions and by taking note of fact as the victim denied any allegation of kidnapping or sexual assault against petitioner while recording



her statement under Section 183 of the BNSS, 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 7th District and Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Phenara P.S. Case No.6 of 2025, 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 BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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