

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81352 of 2025

Arising Out of PS. Case No.-512 Year-2025 Thana- DANAPUR District- Patna

Ajay Kumar Gupta S/o Late Ramchandra Prasad Resident of village and P.S.-
Dinara, Distt- Rohtas, Sasaram (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishna Kumar s/o Late Murlidhar Ram @ Late Surlidhar Ram R/o Vill-
Nariyal Ghat, Takiyapur, Ward No. 28, P.O.- Digha, P.S.- Danapur, Distt-
Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 18-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 126(2), 115(2), 127(4),
142, 143, 144, 98, 99, 64, 111 of the B.N.S., Sections 3(1)(r)(s)
(w), 3(2)(v) of the SC/ST Act, Sections 4, 5 and 6 of the
Prevention of Immoral Traffic Act, Sections 4, 6, 8, 10 and 12
of the POCSO Act, Sections 9 and 10 of the Prohibition of
Child Marriage Act.

3. As per the prosecution case, the informant aged
about 17 years was found missing from her home since
16.05.2025, for which the present FIR in issue was lodged on
17.05.2025. During investigation, victim raised allegation of



sexual assault and trafficking alongwith forceful marriage with one Mukesh Kumar of Rajasthan, against cash of Rs.3 lakhs.

4. The learned counsel for the petitioner submits that the petitioner has not been named in the First Information Report and subsequently, his name transpired during the course of investigation on the ground that he was operating the hotel where allegedly the victim was getting married to one Manish. It is further submitted that barring the said fact, no other material has transpired against the petitioner and even in the exhaustive statement of the victim recorded under Section 164 of the Cr.P.C., she has rather made allegations against one Mukesh and Kapil Sharma, to whom she was being sold by other accused persons being Kapil Gupta, Puja Devi, Gaurav Goyal and Upendra Kumar, but not this petitioner. It has also been submitted that other co-accused persons with graver allegations than the petitioner have already been granted privilege of bail by a Co-ordinate Bench of this Court vide orders dated 01.12.2025 and 09.02.2026 passed in Cr. Misc. No.69883 of 2025 and Cr. Misc. No.65259 of 2025 respectively. The petitioner is in custody since 27.06.2025 and charge-sheet has already been submitted.

5. Learned APP for the State opposed the grant of



bail on the basis of the allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and also considering that the thrust of the allegation is against other co-accused persons, who have been granted bail, coupled with the fact that charge-sheet has already been submitted, let the above named petitioner, 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 DASJ-VII-cum-Exclusive Special Judge, POCSO, Patna/concerned Court below in connection with Danapur P.S. Case No. 512 of 2025.

(Soni Shrivastava, J)

anand/-

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