

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82545 of 2025

Arising Out of PS. Case No.-141 Year-2025 Thana- TARIYANI CHOWK District- Sheohar

Chandan Kumar S/O Ramnandan Baitha R/O village - Kasturiya, P. S -
Tariyani, District – Sheohar Petitioner/s

Versus

1. The State of Bihar
2. X D/O Y ,W/O Md. Alamgir R/O village - Kasturiya, P. S - Tariyani, District
– Sheohar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 27-01-2026 Heard Mr.Devendra Kumar, learned counsel for the
petitioner, learned counsel for the informant and Mr.Anil
Kumar, learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
07.09.2025 in connection with POCSO Case No. 48 of 2025
arising out of Tariyani P.S.Case No.141 of 2025, F.I.R. dated
11.07.2025 registered for the offence punishable under Sections
137(2),96 and 3(5) of BNS,2023 but the chagesheet has been
submitted under Sections 137(2), 96 and 64 of BNS, 2023,
Sections 4 and 6 of POCSO Act and Section 9 of the Prohibition
of Child Marriage Act, 2006.

3. As per FIR, allegation against the petitioner is that
he alongwith co-accused person has induced the minor daughter
of the informant and kidnapped her.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the petitioner was in love with the victim girl and victim was recovered and her statement was recorded under Section 183 of BNSS, 2023 in which she has not supported the case of the prosecution, apart from the aforesaid, she has also refused for her medical examination as well as for her radiological examination. The police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.09.2025.

5. Learned counsel for the informant and A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the FIR and there is direct and specific allegation against the petitioner.

6. Considering the aforesaid facts, the victim has not stated anything against the petitioner in her statement under Section 183 of BNSS, 2023 and the victim has refused for her medical examination as well as radiological examination, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive



Special Judge, POCSO, Sheohar in connection with POCSO
Case No. 48 of 2025 arising out of Tariyani P.S. Case No.141 of
2025, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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