

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86308 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- JAMALPUR District- Munger

Aman Kumar S/O Amrendra Kumar R/O Village- Dhruvganj, Kharif Bazar,
P.S- Kharik, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Murari Kumar Singh S/O Late Surendra Singh R/O Valipur, P.S- Jamalpur,
Distt.- Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Kumar Tiwari, Adv.
For the Informant	:	Mr. V.R.P Singh, Adv.
		Mr. Uday Kumar, Adv.
For the Opposite Party/s :		Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 24-02-2026 Heard learned counsel for the petitioner; learned
counsel for the informant and the learned APP for the State.

2. The petitioner has prayed for bail in connection with
POCSO Case No. 60 of 2025 arising out of Jamalpur P.S. Case
No. 117 of 2025 registered for the offence punishable under
Sections 137(2), 140(3), 3(5) of the B.N.S., 2023 wherein after
investigation charge-sheet has been submitted under Sections
137(2), 140(3), 64 of the B.N.S., 2023 and Sections 4 and 6 of the
POCSO Act.

3. The case of the prosecution in short is that the
petitioner has kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. He has been falsely implicated in this case. During the course of investigation, the victim was recovered, and she has given her statement recorded under Sections 180 and 183 of the BNSS. In her statement recorded under Section 183 of BNSS, she has stated that this petitioner has given her a mobile and she was on talking terms with him. She has further stated that the petitioner took her to Naugachia after enticing her and did use force. It is further alleged that she was blackmailed for establishing physical relationship, failing which, the audio will be made viral. In her statement u/s 180 of the BNSS, she has also stated that she was forcefully brought to Naugachia and was kept in a rented room and has also established physical relationship with her. He also submits that from perusal of the *Annexure-P/2*, it will transpire that the victim has given information before the Superintendent of Police, Munger, that her marriage was fixed with a man aged about 40 years and that she was forced to solemnize the marriage, due to which she came out of her house and has solemnized marriage with this petitioner. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 17.06.2025.

5.The application for bail is opposed by the learned APP for the State and submits that *Annexure-P/2* is not part of the



investigation, and during the investigation, the victim has categorically supported that the petitioner has forcefully taken her and has established physical relationship, and from perusal of the medical examination report, it will transpire that the doctor conducting the medical examination has found the hymen not intact and the victim was minor on the date of the occurrence, as it is clear from the order of the learned trial court. The learned trial court has recorded that the date of birth of the victim is 01.06.2008.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail at this stage; however, the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

7. Accordingly, the prayer for regular bail application of the petitioner is hereby rejected.

8. The learned trial court is directed to expedite the trial in view of Section 35 of the POCSO Act so as to conclude the same within six months.

(Ashok Kumar Pandey, J)

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