

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47 of 2026

Arising Out of PS. Case No.-33 Year-2025 Thana- GRIYAK District- Nalanda

Chandan Kumar S/o Shambhu Yadav @ Shambhoo Yadav R/o Village -
Kalibigha, P.S- Giriyak, District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dilip Kumar Mandal, Posted as Sub - Inspector at Sahayak Thana Pawapuri,
P.S - Pawapuri District - Nalanda, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hansraj
For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-02-2026 Heard the parties.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Giriyak (Pawapuri) P.S. Case No. 33 of 2025 registered for the offences punishable under Sections 143(1), 76 and 3(5) of the IPC, Section 8 of the POCSO Act and Sections 75 and 79 of the Juvenile Justice Act.

3. As per allegation available through FIR that several girls major and minor were found with the petitioner and other co-accused persons, where suspicion was raised by the informant who is Sub-Inspector of police for their trafficking or to push them into illegal activities of immoral trades.

4. Learned counsel appearing on behalf of the



petitioner submitted that merely on the basis of suspicion, petitioner implicated with present case, where the wife of the petitioner, namely, Babita who is running Orchestra group called these girls for stage performance. It is submitted that after alleged recovery, the statement of victim girls were recorded under Section 183 of BNSS, where they categorically stated that she was practicing for stage performance on the occasion of "*Sarsawati Pooja*" and completely negate the allegation of kidnapping and any human trafficking for immoral activities. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, the investigation of this case *qua* other co-accused persons already completed and, therefore, no custodial interrogation of petitioner required for any further interrogation.

5. Learned APP while opposing the prayer of anticipatory bail could not disputed the aforesaid factual submission *qua* statement of victims as recorded under Section 183 of the BNSS.

6. Considering the aforesaid facts and circumstances and by taking note of fact as alleged victim girls completely negate the allegation of kidnapping and human trafficking as to push them into



illegal activities of immoral trade, rather they stated that they were practicing for stage performance on occasion of **“Sarsawati Pooja”**, accordingly, the above-named petitioner, in the event of his arrest or surrender before the court below within a period of four weeks of this order, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, POCSO Act, Bihar Sharif, Nalanda/concerned court, where the case is pending in connection with Giriyak (Pawapuri) P.S. Case No. 33 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Chandra Shekhar Jha, J.)

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