

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85876 of 2025

Arising Out of PS. Case No.-213 Year-2025 Thana- BHORE District- Gopalganj

Amit Kumar S/o Subhash Gupta R/o Village - Nawka Tola, P.S- Bhorey,
District - Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y R/o Village - Nawka Tola, Janki Nagar, P.S- Bhorey, District - Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Priyanka Singh, Advocate Mr. Adarsh Singh, Advocate Ms. Eashita Raj, Advocate
For the Opposite Party/s	:	Mrs. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 25-02-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 137(2), 87, 96, 64, 108 of the BNS and Sections 4 and 8 of the POCSO Act.

3. The case of the prosecution is that the minor daughter of the informant was kidnapped by this petitioner and others. The dead body of the deceased was recovered later on.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that in this case, during the course of investigation, this petitioner has given his



confessional statement and from perusal of his confessional statement, it transpires that on 23.05.2025, he had gone to meet the minor daughter of the informant on a bike which was being driven by Bittu Kumar (co-accused). In the confessional statement, this petitioner has stated that in the morning that when he opened his WhatsApp chat, he found a message from the victim stating that she was going to end her life. He also submits that the only allegation against the petitioner is that he was having relationship with the deceased. Learned counsel has further submitted that other co-accused persons have already been granted bail by this court vide Cr. Misc. Nos 50267 of 2025 and 53306 of 2025. Moreover, the petitioner is languishing in judicial custody since 25.05.2025.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer of regular bail. Learned counsel has submitted that the witnesses have stated that this petitioner has kidnapped the minor daughter of the informant. He has brought to the notice para-27 of the diary where the witnesses have stated that the deceased has gone in a marriage party and the witness has given her mobile to the deceased for clicking photos. She returned back and after a considerable moment when the deceased did not come, she was being searched and she came to know that the petitioner along



with other has kidnapped the minor daughter and has killed her.
Same statement has been given in para-28 of the diary.

6. From perusal of these statements it is clear that the witnesses who have given their statement during investigation in para-27 and para-28 of the diary are not the eye witnesses and they have not disclosed how they came to know that the petitioner along with other has kidnapped the minor daughter of the informant. As far as the confessional statement of the petitioner is concerned, he has only admitted that he was having affair with the deceased and that he has dropped her at her house at that night.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhorey P.S. Case No. 213 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge VI-cum-Special Judge POCSO, Gopalganj.

(Ashok Kumar Pandey, J)

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