

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85990 of 2025

Arising Out of PS. Case No.-188 Year-2025 Thana- MALSALAMI District- Patna

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Amit Kumar S/O Upendra Kumar @ Chhotu Kumar @ Chhotu Yadav R/O
Village- Noorpur, Katra Bazar, P.S.- Malsalami, Dist.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Nath Ray S/O Late Ram Babu Ray R/O Vill.- Rikabganj, Katra Bazar,
P.S.- Malsalami, Dist.- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar, Advocate
For the State	:	Mr. Raj Kishor Singh, APP
For the O.P. no.2	:	Ms. Tripti Singh, Advocate
		Mr. Ravi Ranjan Kumar, Advocate
		Mr. Vishal Prasad, Advocate
		Mr. Rajeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-07-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Special POCSO Case no. 203 of 2025 arising out of Malsalami P.S. Case no. 188 of 2025 registered under section 96 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that his 16 year old minor daughter who had gone out did not return and it subsequently transpired that the petitioner had taken her away.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. It is a case of love affair between the parties. The daughter of the informant returned and her statement was recorded under section 183 of the B.N.S.S. wherein she has categorically stated that she is in love with the petitioner, called him on telephone and married him out of her own volition. The petitioner is in custody since 19.4.2025 and chargesheet has been submitted in the case. He has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Learned counsel appearing for the informant does not opposes the application for bail of the petitioner.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the contents of the statement of the daughter of the informant recorded under section 183 of the B.N.S.S. wherein she does not support the prosecution case and instead states that she went and married the petitioner out of her own volition together with having described her age as 17 years, the petitioner having remained in custody for over a year since 19.4.2025 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Special POCSO Case no. 203 of



2025 arising out of Malsalami P.S. Case no. 188 of 2025 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
ADJ-VII-cum-Special Judge, POCSO, Patna.

(Partha Sarthy, J)

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