

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88602 of 2025

Arising Out of PS. Case No.-296 Year-2025 Thana- BANJARIA District- East Champaran

Chhotu Kumar Son of Late Munna Majhi Resident of Village- Chailaha Tola,
Gaushala Mushahari Tola, P.S.- Banjariya, District- East Champaran, Motihari

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X Son of Y Resident of Village- Chaila Tola Gosala Mushahari Tola, P.S.-
Banjariya, District- East Champaran, Motihari

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126 92), 115 92), 96, 352, 351 (2) of the BNS and Section 8 of the POCSO Act.

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

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that during the course of investigation, the victim has given her



statement under Sections 180 and 183 of the BNS wherein she has stated that she has gone with the petitioner on her own free will. She has further stated that the petitioner had not kidnapped her rather she herself had gone with him. Moreover, the petitioner is languishing in judicial custody since 30.09.2025 having no criminal antecedent.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid 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 Turkauliya Banjariya P.S. Case No. 296 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 Sessions Judge cum Exclusive Special Judge, POCSO Act, East Champaran, Motihari.

(Ashok Kumar Pandey, J)

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