

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90630 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- Kalibagh District- West Champaran

Aditya Kumar @ Aman son of Late Munna Mahto Resident of Block Road,
Durganagar, Bus Stand, PS- Bettiah Town, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Y Resident of Village - Christian Quarter No. 7, PS- Kalibagh,
District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Mr. Ram Sumiran Rai, APP
For the Informant	:	Mr. Krishna Bihari, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

4 19-03-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Kalibagh P.S. Case no.8 of 2025 registered under sections 126(2), 115(2), 96, 64 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and section 3 and 4 of the POCSO Act.

3. As per the prosecution case, the informant states that her daughter, who was on friendly terms with the petitioner, was forcibly kidnapped by him. He pressurized her to marry him. The mobile was snatched and she was assaulted.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. It was nine days after the victim's return that her statement was recorded under section 183 of the B.N.S.S. after being tutored and



pressurized by the informant and other family members. There is an unexplained delay in lodging of the FIR and the age of the victim has been assessed to be 17 years. The petitioner is in custody since 11.1.2025 and has no criminal antecedent. Chargeheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that there is direct allegation against the petitioner of having kidnapped the minor daughter of the informant and of having committed rape on her which allegation has been supported by the victim in her statement under section 183 of the B.N.S.S.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR together with the victim having supported the allegations in her statement recorded under section 183 of the B.N.S.S. wherein she states about the petitioner having forcibly established physical relations with her, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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