

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89110 of 2025

Arising Out of PS. Case No.-493 Year-2025 Thana- AMARPUR District- Banka

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Sawan Kumar, S/o Binod Das @ Vinod Das, Resident of Kulharia,
(Kulhadiya), (Aminpur), P.S- Amarpur, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manohar Prasad Singh, S/o Raju Prasad Singh, R/o village- Nandlal Patti,
P.s.- Amarpur, District- Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
Mr. Hemant Kumar Srivastav, Advocate
Mr. Ashok Kumar Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 19-03-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Amarpur P.S. Case no.493 of 2025, registered under section 96 of the Bharatiya Nyaya Sanhita, 2023 and section 4 of the POCSO Act.

3. As per the prosecution case, the informant states that his 14 year old minor daughter was kidnapped by the petitioner for the purpose of marriage.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. The daughter of the informant returned and her statement was recorded under section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 wherein she has not supported the prosecution case insofar as she states therein that she was in the contact with the petitioner for the last 1.5 years and she went with the petitioner and married him and it appears that she is pregnant. The petitioner is in custody since 20.7.2025 and has no criminal antecedent. Charge-sheet has been submitted in the case.

5. The prayer for bail is opposed by learned A.P.P for the State who submits that on return, the daughter of the informant was medically examined and in the radiological report, her age has been assessed to be between 14 to 16 years. Thus she was clearly a minor.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the F.I.R., the material that has transpired in course of investigation especially the contents of the medical report wherein her age has been assessed to be between 14-16 years together with the facts which have transpired about the petitioner having established physical relations with the minor, the Court is not inclined to enlarge the petitioner on bail and the



application is rejected.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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