

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.174 of 2026

Arising Out of PS. Case No.-113 Year-2025 Thana- RAUTA District- Purnia

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Awesh @ Md. Awesh Karni S/o Md. Jafrul Haque @ Md. Jafrul @ Jafrul R/o
Village - Simalbari, P.S - Amour, District – Purnea Petitioner/s
Versus

1. The State of Bihar
 2. XXX S/o Late Bhakur Resident of - Churnamari, Ward No. 12, P.S - Routa,
District - Purnea
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
: Mr. Bidhu Ranjan, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 06-04-2026 Heard Mr. N.K. Agrawal, learned senior counsel for
the petitioner and Ms. Sangeeta Sharma, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
12.08.2025 in connection with Routa P.S. Case No. 113 of 2025,
FIR dated 25.04.2025 registered for the offence under Section
137(2), 87, 3(5) of the Bharatiya Nyay Sanhita, 2023 and Section 4
of POCSO Act.

3. According to the prosecution, the informant alleged
that the petitioner along with other accused person abducted his
daughter.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has been
made accused in this case merely on the basis of suspicion and



apart from that from bare perusal of the statement of the victim recorded under Section 180 and 183 BNSS, it appears that both are contradictory to each other and the petitioner is rotting in judicial custody since 12.08.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that statement of the victim was recorded under Section 183 BNSS in which she has categorically stated that petitioner had kidnapped her and petitioner had also committed rape upon her and magistrate has assessed the age of the victim to be about 14 years and apart from that Date of Birth of victim as recorded in Transfer Certificate of School is 03.09.2008 which suggest that on the alleged date of occurrence, the victim was minor.

6. Considering the facts and circumstances of the case as well as nature of allegation supported by victim in her statement recorded under Section 183 BNSS, I am not inclined to enlarge the petitioner on bail in connection with Routa P.S. Case No. 113 of 2025, pending in the Court of Additional District & Sessions Judge-VII-cum-Special Judge (POCSO), Purnea.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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