

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91465 of 2025

Arising Out of PS. Case No.-412 Year-2022 Thana- RAMGARHWA District- East
Champaran

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Kishore Sahani @ Kishore Kumar Son of Laxman Sahani @ Lachuman Sahni
Resident of Village- Mangalpur Nayaka Tola, P.S.- Mohammad Nagar,
District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Son of Y Resident of Village- Nandlali, P.S.- Ramgarhwa, District- East
Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate.
For the Opposite Party/s : Mr.Choubey Jawahar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 17-06-2026 Heard learned counsel appearing on behalf of the

petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Ramgarhwa P.S. Case No. 412 of 2022 registered for the
offence(s) punishable under Section 366(A)/34 of the Indian
Penal Code and Section 8 of the POCSO Act.

3. As per the allegation made in the FIR, petitioner
had kidnapped the minor daughter of the informant with an
intention to marry with her.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and he has
falsely been implicated in the case. The victim in her statement



recorded under Section 183 BNSS has stated that she is major and on her free will eloped with the petitioner and solemnized marriage with him and since then both are living together. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the rival submissions made on behalf of the parties, as well as, the nature of allegation made in the FIR, learned District Court is directed to verify the statement of the victim recorded under Section 183 of the BNSS and if it is found that she has admitted the relationship with the petitioner and has not supported the prosecution story, then in that case, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th District Additional Sessions Judge cum Special Judge, POCSO Act, Motihari, East Champaran in connection with Ramgarhwa P.S. Case No. 412 of 2022, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.



7. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para- 3 of the bail petition, this order will automatically lose its force.
8. The bail application stands disposed of.

(Purnendu Singh, J)

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