

**In The Exclusive Special Court of POCSO cum District & Addl. Sessions
Judge, VII, Bhagalpur
Present : Saba Alam, Excl.Spl.Judge (POCSO)**

B.P. No. 291/2026

Arising out of Ishipur Barahat P.S. Case No- 120/2025
u/s- 137(2), 96 of the B.N.S.

**Akash Bassfod age- 22 years. S/o- Late Pramod Basfod @ Pammo Basfod, R/o –
Ishipur Domasi, P.S- Ishipur Barahat, District- Bhagalpur
.....Petitioner**

Versus

State of Bihar

.....Opposite Party

Appearance:-

For the Petitioner- Sanjay Kumar Singh

For the state- Ld. Spl. P.P.

ORDER

17.04.2026

1. An application for grant of regular bail has been filed on behalf of the accused/petitioner namely **Akash Basfod**, who is in judicial custody since 07.01.2026 in connection with Ishipur Barahat P.S. Case No. 120/2025, under Section- 137(2), 96 of the B.N.S.
2. Heard Shri Sanjay Kumar Singh learned counsel appearing on behalf of the accused-petitioner and the learned Special Public Prosecutor, appearing on behalf of the State.
3. The Prosecution case in brief is that informant namely, Veena Devi alleged that on dated 26.07.2025 at about 09:30 A.M., her daughter aged about 14 years left home saying she was going to school to study. When she did not return home from school until late evening, they began looking for her daughter. During the search, it was found that accused Akash Basfod lured her daughter away on the pretext of marriage. The accused's mobile number is 8434932874.

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4. The learned counsel for the petitioner has submitted that the petitioner has not filed any bail application before this Court or before the Hon'ble High Court Patna. Further, he submitted that the petitioner has no criminal antecedents in para 3 of the bail petition. Further, he submitted that petitioner is innocent and has committed no offence and he had falsely been implicated in this case. Further, he submitted that the victim in her statement before the police under Section 180 B.N.S.S has stated that she was in love with the petitioner. Further, he submitted that there is delay of one week in lodging the FIR. Petitioner is in judicial custody since 07.01.2026. Therefore the petitioner may be released on bail.

5. On the other hand, learned Special Public Prosecutor for State has vehemently opposed the prayer for grant of regular bail. He has further submitted that the victim is 14 years old and there is specific allegation on the petitioners for enticing the victim with the intention of marriage. Hence, the prayer for grant of regular bail must be rejected.

6. Perused, the case record and case diary, the allegation against the petitioner is that he enticed the minor daughter of the informant with intent to marry and also committed sexual assault on her. The allegation finds support in the re-statement of informant in para 2 and the statement of witnesses in para 5 & 6. It further transpires that the victim was recovered after 8 days of the occurrence. Also, the victim in her statement under Section 180 & 183 of the B.N.S.S that she eloped with the petitioner of her own volition and willfully married him and they lived as husband and wife. It is also evident from the perusal of the record that the victim was aged about 14 years on the date of occurrence as per the School Certificate issued by +2 Uach Madaymik

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Vidyalaya Ishipur, Bhagalpur. Thus, the consent of minor is no consent. Also, the police after conclusion of investigation has found the case true against the petitioner and filed charge-sheet under Section 96 of the B.N.S & under Section 8 POCSO Act. The petitioner is in judicial custody since 07.01.2026.

7. Considering the aforesaid facts and circumstances of the case nature of offence and Seriousness of the allegation, I am not inclined to grant regular bail at this stage. As such, the petition is hereby **rejected**.

Sd/-

Excl.Spl. Judge (POCSO) cum-
Distt.& Addl.Sess.Judge VII,
Bhagalpur.