

IN THE COURT OF EXCLUSIVE SPECIAL JUDGE (POCSO)-CUM-DASJ-VII,
BHAGALPUR

ANTICIPATORY BAIL PETITION NO.-1046/2026

Arising out of Sajour P.S. Case No-75/2025,
u/s-96,352,3(5) of the B.N.S.

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1.Chandan Kumar, aged about 27 years, S/o-Rakesh Kumar, R/o-Dona,
P.S-Sajour, District-Bhagalpur,

Versus

.... Petitioners

State of Bihar

... .. Opposite Party

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Appearance:-

For the Petitioner/s : Ashutosh Kr. Singh, Ld. Advocate

For the State- : Mr. Naresh Prasad, Ld. Spl. P.P.

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PRESENT : MS. SABA ALAM,
EXCLUSIVE SPECIAL JUDGE, (POCSO)-CUM-DASJ-VII, BHAGALPUR

ORDER

03.08.2026

1. An application for grant of anticipatory bail has been filed on behalf of the accused/petitioner namely **Chandan Kumar** who is apprehending his arrest in connection with Sajour P.S. Case No-75/2025, u/s-96,352,3(5) of the B.N.S.
2. Heard Ashutosh Kr. Singh, the learned counsel for the petitioner and the learned Spl. P.P. counsel for the State.
3. The prosecution story in brief is that the informant Ambuj Yadav stated that on 18-05-2025 at around 3:00 AM in the morning, his daughter namely X, aged approximately 16 years was enticed, lured, and abducted from home with the intention of marriage. He came to know in the village that petitioners (1) Chandan Kumar, made her sit in an auto-rickshaw and was heading towards Bhagalpur. On 20-05-2025, at around 1:00 PM, a photo was sent to his mobile, showing that his daughter and Chandan have gotten married. When he went to Chandan's house to ask about his daughter, his mother Pinki Devi, father Rakesh Kumar, brother, Yogesh Kumar and Yuvraj Kumar all together in unison, & chased to assault her, and started verbally abusing him. With the connivance of these people, Chandan had seduced his daughter and married her. His daughter carried a huge cash and her mother's jewellery.
4. The learned counsel on behalf of the petitioner has submitted that the anticipatory bail vide A.B.P No.-1838/2025 has been withdrawn from the court of A.D.J 1st, Bhagalpur thereafter he not filed any anticipatory/regular bail before this Court or the Hon'ble High Court Patna. Further, he submitted that the petitioner is innocent and has committed no offence as alleged but he has falsely been implicated in this case only to harass and humiliate the petitioner and his family members. Further, submitted that the statement of the victim was recorded before

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the police and Ld. Judicial Magistrate in which she has stated that she was in love with the petitioner and she eloped with him, no one kidnapped her. The petitioner has one criminal antecedent vide G.R. No.-1212/2021. The petitioner is not likely to abscond or tamper with the evidence and he is ready to abide by the conditions imposed by the gracious Court. Therefore the petitioner may be released on bail.

5. The learned Special Public Prosecutor has vehemently opposed the prayer for grant of anticipatory bail of the petitioner.
6. Heard both sides and perused the case record and case diary. From perusal of the case diary and case record it appears that this case is registered for the offence u/s-96,352,3(5) of the B.N.S.S and the petitioner is named in the FIR. The allegation against the petitioner is that he enticed the informant's minor daughter for illicit intercourse. Further from perusal of Para-2 of the case diary, it appears that the informant in his restatement and other witnesses in Para-6,7 and 8 have supported the case of prosecution. The victim stated in her statement recorded u/s-183 of the B.N.S.S that she was in love with the petitioner which was objected by her parents & they were arranging her marriage somewhere else. That's why on 19.05.2026 without informing anyone she eloped with the petitioner and went to Jharkhand and there she lived in a hotel for two-three days, then from there they went to Chhattisgarh. There petitioner's maternal uncle came and brought her to Bhagalpur. The victim and the petitioner had not established physical relation. During the course of investigation, the I.O. has collected the School Transfer Certificate of victim issued by Madhya Vidyalaya Mathiyanath Pawai Amarpur, Banka in which the date of birth of victim is mentioned as 01.01.2009 and the date of occurrence is of 18.05.2025, so at the time of occurrence the victim's age was 17 years. The petitioner has one criminal antecedent in Sajour P.S Case No.-83/2021, u/s-341,323, 498(A),504, 506/34 of the IPC & section-3/4 of the Dowry Prohibition Act. The petitioner is the main accused and the case has been found true against the petitioner u/s-96 of the B.N.S & u/s-04/6 of the POCSO Act. There is direct and specific allegation against the petitioner. The investigation of this case is pending for the arrest of accused.
7. Considering the aforesaid facts and circumstances the nature of allegation and also considering the seriousness of offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of bail of the petitioner namely **Chandan Kumar** stands **rejected**.

(Dictated)

Sd/-
Exclusive Spl. Judge(POCSO)
Distt.& Addl.Sess.Judge-VII
Bhagalpur,

Memo No.- Bhagalpur, Dated-30.07.2026

A copy of bail order forwarded to the court of A.C.J.M-II, Bhagalpur in connection with Ghogha
P.S Case No.-69/2026 for information and needful.

Exclusive Spl.Judge(POCSO)-cum-
Distt. & Addl.Sessions Judge VII,
Bhagalpur,