

**In the Court of 6th District & Addl. Sessions Judge-Cum-Exclusive Special Judge,
POCSO Act, East Champaran, Motihari, Bihar.**

(Present:- Amlesh Kumar Singh)

A.B.P No. 310/2026

(Arising out of Muffasil P.S Case No. 279/2025)

1. Pardeshi Kumar, S/o- Bhulindra Singh, aged about- 19 years,
 2. Pawan Kumar, S/o- Bhulindra Singh, aged about- 29 years,
 3. Nirmala Devi, W/o- Bhulindra Singh, aged about- 55 years,
 4. Pushpa Devi, W/o- Pawan Kumar, aged about- 25 years,
- All are R/o village- Raghunathpur, P.S- Chiraiya
5. Kiran Devi, W/o- Jay Kishor Singh, aged about- 40 years,
R/o village- Laukhan, P.S- Ghorasahan,
All are from district- East Champaran..... Petitioners.

Versus

State of Bihar.....Opposite Party.
For the Accused-petitioner:- Sri Sachin Kumar, learned advocate.
For the State :- Sri Mani Kumar, Learned Special P.P.

Dated- 23.03.2026.

ORDER

1. This application has been filed, for grant of anticipatory bail petition, on behalf of the accused persons namely, 1. Pardeshi Kumar, 2. Pawan Kumar, 3. Nirmala Devi, 4. Pushpa Devi & 5. Kiran Devi in connection with Muffasil P.S. Case no. 279/2025, registered under sections 96 of B.N.S & Section- 8/12 of POCSO Act.

Heard arguments of Ld. Counsel, appearing for the accused petitioner & Ld. Spl. P.P. for the State.

Ld. Counsel on behalf of the petitioners submits before the court that petitioners are quite innocent and have committed no offence as alleged and falsely been implicated in this case. No any anticipatory or regular bail petition of any nature has been filled on behalf of petitioners, either in this Ld. Court or before any Superior Court. Petitioners have no any criminal antecedents. The allegations, whatsoever, leveled against the petitioners, are out and out false and concocted. Petitioners have nothing to do with the alleged occurrence. So, the alleged sections of B.N.S & POCSO are not attracted against them. Therefore, they may be released on anticipatory bail.

2. Ld. Spl. P.P. for the state has vehemently opposed the prayer for anticipatory bail and submits before the court that the F.I.R has been lodged against the accused-petitioners for kidnapping the minor daughter of the informant. The allegations are quite serious and clearly against the society. Therefore, their anticipatory bail petition may be rejected.

3. Heard both the parties and perused the record, the court finds that the F.I.R has been

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lodged u/s- 96 of B.N.S & Section- 8/12 of POCSO Act, against six accused-persons including present petitioners. It has been alleged by the informant on 04.05.2025 he got knowledge that accused persons including present petitioners had kidnapped his minor daughter and confined her to a secluded place for the intention of marriage. After that informant searched a lot of his minor daughter but could not find her. Hence, this case was lodged against all the accused-persons including present petitioners. After further perusal of the evidences available on the record the court finds that the victim girl has given her statement u/s- 183 of B.N.S.S. In her statement she has not stated anything adverse against the accused-petitioners no. 2, 3, 4 & 5. She has not even whispered the name of these accused-petitioners in her statement. It seems that allegations are not direct against the these accused-petitioners.

Therefore, after considering the facts and evidences available on the record this court is inclined to grant anticipatory bail to the accused-petitioners no. 2. Pawan Kumar, 3. Nirmala Devi, 4. Pushpa Devi & 5. Kiran Devi. They are directed to be released on anticipatory bail in case of their surrender or arrest before the present court, after furnishing of bail-bond of rupees 10,000/- with two sureties of like amount each within four weeks from the date of passing of this order, with the further condition that one bailer will be their relative and they will co-operate the process of investigation.

In the case of another accused petitioner no. 1. namely Pardeshi Kumar the court finds that victim has recorded her statement u/s- 183 of B.N.S.S. In her statement she has taken the name of accused petitioner. She states that she moved away from her house and reached station, where the petitioner no. 1 was already present. From there they went to Mumbai and Delhi,

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where she remained with him. Victim was minor at the time of alleged occurrence as per her matriculation marks-sheet (D.O.B- 15.12.2008), and her consent is no consent as per eyes of law. The allegation is direct & specific and clearly against the society. He is the main accused. The investigation is still going on.

Therefore, after considering the facts and evidences available on the record and the seriousness and gravity of this case, this court is not inclined to grant anticipatory bail to the accused petitioner namely Pardeshi Kumar.

Hence, his anticipatory bail petition is hereby **rejected**.

(Dictated)
Sd/-

(Amlesh Kumar Singh)
6th District & Addl. Sessions Judge
cum Exclusive Special Judge POCSO Act,
East Champaran, Motihari.