

**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.- 399/2026

(Arising out of Kotwa P.S Case No. 134/2024)

Laxman Pandit, S/o- Birendra Pandit, aged about- 24 years,
R/o village- Sariyatpur, P.S- Kotwa,
District- East Champaran..... Petitioner.

Versus

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

Dated- 21.04.2026.

ORDER

1. This application has been filed for grant of anticipatory bail on behalf of the accused person namely, Laxman Pandit in connection with Kotwa P.S. Case no. 134/2024 registered u/s- 363, 366(A),506,34 of I.P.C., & Section- 8/12 of POCSO Act.

Ld. Counsel on behalf of the petitioner submits before the court that no any other anticipatory or regular bail petition of any nature has been filed in on behalf of the petitioner, either in this Ld. Court or before any Superior Court. Petitioner has no criminal antecedents. Petitioner is quite innocent and has committed no offence as alleged, he has falsely been implicated in this on account of village politics. The allegations whatsoever levelled against the petitioner is out and out false, fabricated, and concocted. Petitioner has emphatically denied whole allegation as alleged in the F.I.R. Petitioner has nothing to do with the alleged occurrence. So, the alleged sections are not attracted against the petitioner. Therefore, he may be released on anticipatory bail.

2. Ld. Spl. S.P.P. for the state, has vehemently opposed the prayer for anticipatory bail. He submits before the court that there is direct and specific allegation against the accused-petitioner that he has kidnapped the minor sister of the informant. The allegation is quite serious and clearly against the society. Hence, his anticipatory bail plea may be rejected.

3. Heard both the parties and perused the record, the court finds that the F.I.R has been lodged u/s- 363, 366-A,506,34 of I.P.C., & Section- 8/12 of POCSO Act., against four accused-persons including present accused petitioner. In the F.I.R the informant alleges that on 02.05.2024 her minor sister went to attend nature's call. In the meanwhile, co-accused persons along with accused petitioner kidnapped his sister with criminal intent acting under a pre-planned conspiracy. The informant and his brother Pravesh Pandit, who were travelling along the same route, witnessed the four accused forcibly taking his sister away on their motorcycles while gagging her mouth. They kept shouting, but accused persons including present petitioner didn't stop the motorcycle. Later on, While searching of his sister and consequently due to the fear of social stigma, they didn't go to the police station immediately, instead of that the informant went to accused petitioner's house at Sariyatpur, where he found his house was locked. Later on, the informant

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managed to get the accused petitioner mobile number from the locals, but when he called, the present accused petitioner threatened the informant to be keep quiet otherwise, he will kill his sister & will disappear her body. Informant has firmed belief that accused persons including present petitioner had kidnapped his minor sister with ill intentions. Hence, this case was lodged. After further perusal of records, the court finds that the victim girl has been recovered and her statement u/s- 164 of Cr.P.C., has been recorded. In her statement she has named the accused petitioner. She states that she left her home at her own volition. The victim was minor at the time of alleged event occurrence ,(D.O.B 12.06.2007) and in that condition her consent is no consent in the eyes of law. The allegation is direct and specific against the petitioner & clearly against the society. He is main accused in this case. Investigation is still going on.

Therefore, after considering all the fact and evidences available on the record and the gravity and seriousness of alleged offences, this court is not inclined to grant anticipatory bail to the accused-petitioner namely Laxman Pandit.

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.