

**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.- 1033/2026

(Arising out of Muffasil P.S Case No. 672/2025)

Acchelal Kumar, S/o- Sanjay Mahto, aged about- 23 years,
R/o village- Surhadih, P.S- Muffasil,
District- East Champaran..... Petitioner.

Versus

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

Dated- 07.04.2026.

ORDER

1. This application has been filed for grant of anticipatory bail on behalf of the accused person namely, Acchelal Kumar in connection with Muffasil P.S. Case no. 672/2025 registered u/s- 137(2), 96, 61(2), 352, 3(5) of B.N.S., & Section- 8 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 any criminal antecedents. Petitioner is quite innocent and has committed no offence as alleged in the F.I.R and he has falsely been implicated in this case due to village party politics. The allegations whatsoever levelled in the F.I.R is out and out false, fabricated, and concocted. There is an inordinate delay of lodging the F.I.R., without any plausible reason. Petitioner has nothing to do with the alleged occurrence & he has dragged in this case due to malice intention. So, the alleged sections of B.N.S., & POCSO 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 daughter 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- 137(2), 96, 61(2), 352, 3(5) of B.N.S., & Section- 8 of POCSO Act, against five accused-persons including present petitioners. It has been alleged by the informant that on 04.07.2025 at about 07:00 in the evening her minor daughter went for shopping but did not return till late night. After being inquired informant got knowledge that her minor daughter was seen with the present accused petitioner. When informant went to co-accused persons house for inquiry of her minor daughter then they assured her to return back her minor daughter within two days but they did not do so. Then, informant again visits accused persons house for inquiry then co-accused persons abused and refused to bring her minor daughter back. Informant has firmed beilef that accused

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persons including present petitioner had kidnapped her minor daughter with the intention of marriage. Hence, this case was lodged against all the accused-persons including present petitioner. After further perusal of records, the court finds that victim has been recovered and her statement u/s- 183 of B.N.S.S., has been recorded. In her statement she has taken the name of accused petitioner in her statement. She has stated that she went with the accused petitioner voluntarily and went to Delhi, where she remained with her. Victim was minor at the time of alleged occurrence as per her schooling certificate (D.O.B- 01.01.2008). The allegation is direct and specific against the petitioner & clearly against the society. He is the main accused. 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 Acchelal 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.