

**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. 1726/2026
(Arising out of Muffasil P.S Case No. 24/2025)

Suraj Patel, S/o- Dashrath Patel, aged about- 26 years,
R/o village- Hariyan Chhapara, P.S- Muffail,
District- East Champaran..... Petitioner.

Versus

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

Dated- 03.06.2026.

ORDER

1. This application has been filed for grant of anticipatory bail petition on behalf of the accused person namely Suraj Patel in connection with Muffasil P.S. Case no. 24/2025, registered under sections 96, 3(5) of B.N.S., & Section- 8/12 of POCSO Act.

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

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 on behalf of petitioner, either in this Ld. Court or before any Superior Court. Petitioner has no any criminal antecedents. Petitioner is quite innocent and has falsely been implicated in this case due to village party politics. The allegation whatsoever levelled against the petitioner is out and out false and concocted. Petitioner has nothing to do with the alleged occurrence. So, alleged sections of B.N.S & POCSO Act are not attracted against him. Therefore, they may be released on anticipatory bail.

2. Ld. Spl. P.P. for the state, opposed the prayer for anticipatory bail and submits before the court that the F.I.R has been lodged against the accused-petitioner for kidnapping the minor daughter of the informant. The allegations are quite serious and clearly against the society. Therefore, his 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 lodged u/s- 96, 3(5) of B.N.S., & Section- 8/12 of POCSO Act, against three accused-persons including petitioner. It has been alleged by the informant that on 07.01.2025 at about 06:00 o' clock in the evening accused persons including present petitioner had kidnapped her minor daughter when informant was not present at her home. After that she searched a lot of her minor daughter but could not find her, accused persons had also took some cash of rupees 50,000 from her house. Informant has firmed belief that accused persons including present petitioner had

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kidnapped her minor daughter with the intention of marriage. Hence, this case was lodged. After further perusal of the evidences available on the record 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 not stated anything adverse against present accused-petitioners. She has stated to have solemnized marriage with the petitioner. According to I.O., she has not studied in any school and medical board has determined her age of a major girl.

Therefore, after considering the facts and evidences available on the record this court is inclined to grant anticipatory bail to the accused-petitioner namely Suraj Patel. He is directed to be released on anticipatory bail in case of his 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 his relative and he will co-operate the process of investigation.

(Dictated)

Sd/-

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