

**IN THE COURT OF THE ADDITIONAL SESSIONS JUDGE-VI-CUM-EXCLUSIVE
SPECIAL JUDGE I, POCSO ACT, PATNA**

Bail Application no.1029/2026

Rahul Kumar Vrs. State
&

Bail Application no.1451/2026

Ankit Kumar Vrs. State

ORDER

Dated 24.06.2026

1. Two bail petitions no.1029 of 2026 & 1451 of 2026 are moved together as both arises out of same police case number and accordingly disposed of by this common order.
2. Heard Shri Binay Kumar, learned counsel on the above mentioned bail petitions of the petitioners namely Rahul Kumar in B.P. No.1029/2026 and Ankit Kumar in B.P. No.1451/2026, who are in custody since 23.03.2026 in connection with Janipur P.S. Case no.101/26 registered U/s 137(2), 140(3) of B.N.S. 2023. Also heard Shri Suresh Chandra Prasad, learned Special Public Prosecutor for the State.
3. The prosecution case, in brief, is that on 19.03.2026 that at about 09.30 of morning hours the informant's minor daughter i.e. the minor victim girl aged about 17 years left the house for giving exam but she didn't return to her house at 5.00 P.M. after exam which was concluded at 3.30 P.M. It is alleged that when the informant and family members tried to search here and there but all attempts went in vain. Thus, on the basis of written application of informant the case was registered as specified against unknown.
4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case by the police merely suspicion as they are not named in the F.I.R. It is submitted that no prior bail application, whether anticipatory or regular, has been filed before this Court or the Hon'ble High Court. The petitioners are stated to have no any criminal antecedents. It is contended that actually there is love affair between petitioner-accused Ankit Kumar and victim and both have solemnized marriage on 18.03.2026 before Notary Public Danapur, Patna which is on record. Petitioner-accused Ankit Kumar has never pressurized to victim nor he took away her rather the girl in her statement recorded U/s 183 BNSS has not whispered a single word against petitioner accused and accepted her marriage with Ankit Kumar. It is further argued that the petitioner-accused Rahul Kumar is friend of Ankit Kumar due to which he has been dragged in this case on his confessional statement and except this there is nothing against petitioner accused Rahul Kumar, therefore, no case as alleged in the F.I.R is made out against the petitioners. Lastly, it is argued that petitioners are languishing in jail since 23.03.2026 for no fault on their behalf. Hence, it is prayed to allow these two bail petitions.
5. On the other hand, learned Special Public Prosecutor opposes the bail prayer but conceded the fact that there is matter of love affairs between victim and one of the petitioner Ankit Kumar.
6. On careful perusal of the L.C.R and the case diary, it is clear that petitioner-accused Rahul Kumar was the friend of Ankit Kumar who was in love affair with victim. The only allegation against Rahul Kumar is of helping his friend. They are in custody since 23.03.2026. Chargesheet has already been submitted in this case U/s 137(2), 127(3), 96, 3(5) of B.N.S. 2023 & Sec.8, 12 of POCSO Act. I do not find any reason to decline the bail as there is no need

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B.N.S. 2023 it appears that the allegation of sexual assault is not supported by the victim. Even on the point of kidnapping she asserts that she herself gone out and convinced the petitioner-accused to go with her. Therefore, I don't find any reason to deny the bail to petitioners after filing of chargesheet.

7. It is settled law, as reiterated by the Hon'ble Supreme Court in *Satender Kumar Antil v. CBI*, (2022) 10 SCC 51, that pre-trial detention must not become punitive and that bail is the rule, and jail is the exception.
8. Considering the totality of circumstances, the nature of the allegations, the duration of custody, and the fact of submission of chargesheet, this Court is of the considered opinion that the petitioners deserve to be enlarged on bail.
9. Accordingly, the bail applications filed separately on behalf of Rahul Kumar and Ankit Kumar, are **allowed**. Let the petitioners be released on bail on their furnishing a bail bond of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of this Court with the conditions given below:-

(i) *The petitioners will appear regularly before the court until the conclusion of the investigation.*

Dictated and corrected by me.

Sd/.

(Rajeev Ranjan Raman)
District & Addl. Sessions Judge-VI
Cum Exclusive Special Judge, POCSO
Civil Court, Patna
Dated: 24.06.2026