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IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS-CUM- EXCLUSIVE SPL. JUDGE (POCSO),
SHEIKHPURA
A.B.P No.- 187 /2026

Arising out of Ariyari P.S. Case No. 158 of 2022
POCSO Case No. 36 of 2022

Sunny Kumar
The State of Bihar

Vs.

Petitioner
opposite party

Sr. No .	Date	Order with signature of the Court	Office Action/s taken with Date
	04.04.2026	IN THE MATTER OF : Sunny Kumar S/o Dhanraj Mahto, aged about 22 years Resident of village- Navinager Kakrar, P.S.- Ariyari, District- Sheikhpura -----Petitioner <i>Versus</i> The State of Bihar Opposite Party <u>ORDER</u> An anticipatory bail petition filed on behalf of accused petitioner namely Sunny Kumar, who is apprehending his arrest in connection with Ariyari P.S. Case No. 158/2022 registered U/s- 366A/34 of IPC and U/s- 8 of the POCSO Act. Heard Sri Deepak Kumar, Learned Advocate for the petitioner, Sri Raj Kumar Singh, Learned Advocate for the informant and Smt. Naila Begum, Ld. Spl. P.P. for the State. The prosecution case, in brief as per the written report of the informant Sheela Devi W/o Bagirath Mahto, resident of village- Navinagar Kakrar, the prosecution story in brief is that on 16.06.2022 at about 3:00 A.M. her daughter/victim girl aged about 17 years is missing. The informant started searching, she came to know that her daughter/victim girl of her own villager has been kidnapped by Sunny Kumar with the intention of marry her. When she went to Sunny Kumar's house to inquire, his father Dhanraj Mahto and Rahul Kumar started abusing her and said that his son will marry your daughter, forget about her daughter/victim girl. She has fully confidence that Sunny Kumar, Rahul	

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<u>Contd....2</u> 04.04.2026	Kumar and Dhanraj Mahto have kidnapped her minor daughter/victim girl and are hiding her somewhere. Her daughter/victim girl also took away jewellery worth of Rs. 50,000/-. Learned counsel for the petitioner has submitted that petitioner is quite innocent and he has been falsely implicated in this case due to dirty village politics. It is further submitted that petitioner has not filed any bail petition either in this court or Hon'ble High Court, Patna. It is further submitted that the petitioner bears no criminal antecedent. It is further submitted that submitted that the alleged section of FIR u/s 366A of the IPC and section 8 of POCSO Act, which is not applicable against the accused petitioner. It is further submitted that both the parties have entered into compromised and good relationship established between them. Therefore, it is prayed that petitioner be given benefit of pre-arrest bail. Ld. SPL. P. P. vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the victim is a minor and the allegation is serious in nature. She therefore, prays to reject the anticipatory bail petition. Heard and perused the case record, including the material available on the record. On perusal, it transpires that this case has been registered u/s 366A/34 of IPC and 8 of POCSO Act against altogether three accused persons including the accused petitioner Sunny Kumar. The witnesses of the case diary have fully supported the case of prosecution vide para- 9, 10 and 11 of the case diary. As per the allegation, the accused petitioner along with other accused persons have kidnapped the victim minor girl. The I.O has filed copy of mark-sheet issued by Bihar School Examination Board, Patna, as per which her date of birth is 04.06.2005. In this case the date of occurrence is 16.06.2022 and so victim is minor on the date of occurrence.
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The victim in her statement u/s 164 of Cr.P.C. specifically stated that she has solemnized marriage with the accused petitioner and both are living as husband and wife. As per para- 3 of the bail petition, the petitioner himself disclose that he does not have any criminal antecedent. The investigation is still going on against this petitioner.

Considering the aforesaid facts and circumstances, the nature of allegation, material available on the record, gravity of the offence, minority of the victim girl and investigation is in progress; this court is of considered view that, the accused petitioner namely Sunny Kumar is not entitled to get the privilege of anticipatory bail. Hence, the anticipatory bail petition of the petitioner is hereby rejected and accordingly disposed off. (The order is dictated, and corrected by me.)

Sd/-

(Ravindra Kumar)

Addl. Sessions Judge-cum- Exclusive
 Spl. Judge (POCSO), Sheikhpura
 04.04.2026

Copy of order passed in A.B.P. No. 187/2026 keep in record of POCSO
Case No. 36/2022.

Addl. Sessions Judge-cum- Exclusive
 Spl. Judge (POCSO), Sheikhpura

04.04.2026

Date of Order	04.04.2026
Date of Reserving Order	01.04.2026
Uploading Date	06.04.2026
Uploaded by	Jitendra Kumar (Stenographer)

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