IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48811 of 2026

Arising Out of PS. Case No.-49 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

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Guddu Kumar @ Guddu Kumar Rai son of Hareram Ray Resident of Vill- Hilsar PS -Bhagwanpur Hat Distt -Siwan

... ... Petitioner

Versus

1. The State of Bihar
2. Lalita Devi Wife of Shatrughan Ray Resident of Vill- Hilsar PS -Bhagwanpur Hat Distt -Siwan

... ... Opposite Parties

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Appearance :
For the Petitioner/s : Ms. Neha Kumari Singh, Advocate
Mr. Shivnandan Bharti, Advocate
For the Informant : Mr. Yashraj Bardhan, Advocate
For the State : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR

ORAL ORDER

3 21-08-2026 Heard learned counsel for the petitioner, learned counsel for the informant and the learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Bhagwanpur Haat P.S. Case No. 49 of 2025, instituted for the offences under Section 96 of the Bharatiya Nyaya Sanhita, 2023 and under Section 3/4 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

3. The Prosecution case, in short, is that on 17.02.2025, petitioner enticed away the daughter of the informant with intention to marry her. It is alleged that parents of the petitioner also facilitated in the said act.

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4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Learned counsel further submits that petitioner and the victim are in love relationship for the last four years. The Counsel also submits that the petitioner and victim are a married couple having a child. The counsel lastly submits that petitioner is in custody since 26.02.2026 and he has no criminal antecedents.

5. Learned A.P.P. for the State and learned counsel for the informant, vehemently, opposed the prayer for grant of bail to the petitioner. Learned counsel for the informant submits that there is a dispute to the age of the victim.

6. Having heard the parties and considering the aforesaid facts and circumstances of the case, taking into consideration that there is dispute to the age of the victim and the fact that Charge-sheet has already been submitted, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanpur Haat P.S. Case No. 49 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner’s own or

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close member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Alok Kumar, J)

Manish/Emaad/-

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