

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4352 of 2025

Arising Out of PS. Case No.-293 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Suraj Kumar @ Bambam Kumar S/o Manoj Ram Resident of village-
Jahanabad, P.S. Kudra, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi W/o Jai Prakash Ram R/o vill - Chakiya, P.s.- Kudra, Distt.-
Kaimur at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajani Kant Pandey, Adv.
For the Opposite Party/s	:	Mr.Narendra Kumar Singh, APP
For the Informant	:	Mr. Parwej Khan, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 23-04-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with Kudra
P.S. Case No. 293 of 2024 instituted for the offences under
Sections 87/96/352/351(2)/3(5) of the Bharitya Nyaya Sanhita,
2023.

3. As per prosecution case, the accusation against the
petitioner is of abducting the minor daughter of the Informant
for the purpose of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case due to dirty village politics. There is a love affairs between the parties. The victim girl in her statement recorded under Sections 180 and 183 of the B.N.S.S. has not made any allegation of any overt act or kidnapping against the petitioner and, thus, her statement does not corroborate the allegation made in the F.I.R. In her statement, she has stated that she solemnized marriage with the petitioner and are living as husband and wife. The medical report does not support the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 02.12.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The Informant in re-statement in Para-1 and other witnesses in Paras 2 & 3 of the case diary have fully supported the prosecution case. He further submits as as per her date of birth mentioned in her birth certificate, she was minor at the time of occurrence. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 96, 64(1) of the B.N.S. and Section 04 of the POCSO Act and, hence, the petitioner does not deserve bail.



6. Having heard learned counsel for the parties and considering the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected at this state with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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