

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14244 of 2025**

Arising Out of PS. Case No.-276 Year-2024 Thana- KORHA District- Katihar

Shiv Kumar S/o- Bablu Singh Village- Shishiya Ps- Korha Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER**

2 19-03-2025

1. Heard learned counsel for the parties.

2. The petitioner makes prayer for regular bail in connection with Korha P.S. Case no.276 of 2024 registered for the offence under sections 64 and 69 of the B.N.S, 2023.

3. The allegation against the petitioner as per F.I.R is that the victim who was aged 23 years has made an allegation on the petitioner aged 20 years that he was keeping her with himself since the past five years on a false promise of marriage. It is stated that after keeping her for 5 days, on 05.10.2024, he left her in her village and fled away.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. It appears from the F.I.R itself that the victim girl is elder to the informant and considering the fact that for the past 5 years she



has been somehow entangled with the petitioner, the age of the petitioner would also be even less. He further submits that the present F.I.R has been lodged on 08.10.2024 i.e. after three days of the victim lady returning back home. Although it also remains a fact that no one from her family lodged an F.I.R after the girl had been taken away or kept with the petitioner for five days. Learned counsel for the petitioner also invites the attention of the Court to the age certificate of the petitioner annexed as Annexure-2 to the application which would go to show the date of birth of the petitioner to be 05.02.2006. It is also noticed that the F.I.R does not disclose that any kind of sexual activity has been done by the petitioner or that the informant/victim has been forced to undergo any kind of physical or sexual exploitation.

5. The application for bail is opposed by learned APP for the State.

6. Taking into consideration all the above mentioned facts and circumstances of the case and also considering the fact that the petitioner is a young boy having no criminal antecedent and is languishing in custody since 09.10.2024, the petitioner is directed to be enlarged on bail in connection with Korha P.S. Case no.276 of 2024 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar.

(Soni Shrivastava, J)

Harsh/-

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