

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21675 of 2025

Arising Out of PS. Case No.-59 Year-2024 Thana- BELHAR District- Banka

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Pritam Kumar Son of Birbal Tanti Village -Dadnichak, Police Station- Belhar,
District -Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahesh Tanti son of Late Ganbhir Tanti Village -Dadnichak, Police Station-
Belhar, District -Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s	:	Mr. Madan Kumar, APP
For the Informant	:	Mr. Sunil Prasad, Advocate

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

ORAL ORDER

5 24-07-2025 Heard learned counsel for the petitioner, learned

APP for the State, learned counsel for the informant and perused

the case diary.

2. The petitioner seeks bail in connection with Belhar
P.S. Case No. 59 of 2024, instituted for the offences punishable
under Sections 366(A)/34 of the Indian Penal Code and Section
8 of POCSO Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons lured minor daughter of the
informant and took her for the purpose of marriage.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the petitioner and the victim had love affair in between them and they fled away on their own will towards unknown destination for the purpose of marriage. It is further submitted that the victim has not supported the prosecution case in her statement recorded under Sections 161 and 164 of Cr.P.C. The petitioner is in custody since 18.02.2025 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner of luring the victim for the purpose of marriage. The victim is a minor girl and has not supported the prosecution case in her statement recorded under Sections 161 and 164 of Cr.P.C. It is further submitted that despite she went away with her own consent, her consent is not valid in the eye of law as she is a minor girl. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to



expedite the Trial.

(Rudra Prakash Mishra, J)

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