

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16421 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- RANIYATALAB District- Patna

Sunny Kumar S/O Madan Singh Resident of Village- Baghakol P.S.- Bikram,
District- Patna

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Chanda Shekhar singh Son of Mithilesh Singh Resident of Babhan Kanpa
P.S. Rani Talab Dist patna

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 22760 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- RANIYATALAB District- Patna

Nidhi Kumari Wife of Sunny Kumar R/o Village- Baghakol, P.S.- Bikram,
District- Patna

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Chandra Shekhar Singh S/o Mithlesh Singh R/o Babhan Kanpa, P.S.-
Ranitalab, District- Patna

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 16421 of 2025)
For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate
Ms. Sunidhi Vimal, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari
(In CRIMINAL MISCELLANEOUS No. 22760 of 2025)
For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate
Ms. Sunidhi Vimal, Advocate
For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

5 07-07-2025 Heard learned senior counsel for the petitioners and



learned APP for the State. Perused the case diary.

2. The petitioners seek bail in connection with Special (POCSO) Case No. 10 of 2024, arising out of Rani Talab P.S. Case No. 01 of 2025 instituted for the offence under Sections 96 & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 4/6 of the POCSO Act.

3. Prosecution case, in short, is that on 31.12.2024 at about 6 A.M., Informant's 13-year-old daughter went to Mun Light Coaching Center but did not return home. Despite extensive searches, she could not be located. He suspects Bhim Kumar and two unknown persons kidnapped her from the coaching center with the intention of marriage.

4. It has been submitted on behalf of the petitioners that the petitioners are in custody since 02-01-2025. Petitioners bear no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioners' counsel that petitioners have been falsely implicated in the present case. Petitioners are not named in the FIR and their names have transpired in the statement of the victim recorded under Section 183 of the BNSS, 2023. Petitioners are husband and wife. Learned counsel for the petitioner submits that there is



love affair between the victim and accused, namely, Bhim Kumar, who has been enlarged on bail by the court below itself. Referring to statement of the victim recorded under Section 183 of the BNSS, 2023, it is submitted that only allegation against petitioner, namely, Sunny Kumar is that he took the victim to petitioner, namely, Nidhi Kumari and he has further stated that no overt act is done to her. Victim has refused for her medical examination. It is lastly submitted that there is no ingredients of Section 96 of the BNS, 2023 against the petitioners.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Police after completion of investigation has submitted charge sheet in this case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioners, there being no overt act alleged by the victim against the petitioners and charge sheet being submitted, this Court is inclined to grant bail to the petitioners.

8. Let the petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special



(POCSO) Case No. 10 of 2024, arising out of Rani Talab P.S.
Case No. 01 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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