

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27858 of 2025

Arising Out of PS. Case No.-916 Year-2024 Thana- SIKARPUR District- West Champaran

Raja Kumar, S/o Sri Lalan Sah, R/o Village- Rampurwa, P.S.- Mainatand,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner seeks bail in connection with Shikarpur P.S. Case No. 916 of 2024, registered for the alleged offence under Sections 137(2)/96 of BNS, 2023.

03. As per prosecution case, the petitioner enticed away the minor daughter of the informant with the help of other co-accused persons.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The victim girl has been recovered and she categorically stated that she wanted to marry the petitioner and they left their respective houses for Gujarat by train where they lived together in a house and after knowing about the case lodged by her



father, victim girl returned. It was also found that she was carrying pregnancy of one and half month, but as she was not willing to go with her father, she was sent to the custody of Child Welfare Committee on 19.01.2025. The learned counsel further submits that from the facts of the case and the statement of the victim girl recorded under Section 180 BNSS, there is no allegation of enticing/kidnapping/abduction using criminal force for illicit purpose, rather it is evident that the present case is about elopement of major girl with her paramour. The victim girl left on her own and she was not minor. The petitioner is in custody since 07.01.2025 is having clean antecedent. The charge sheet has been submitted.

05. Learned APP vehemently opposes the submission made on behalf of the petitioner. The learned APP submits that the victim girl is minor as is apparent from the FIR.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the voluntary nature of act of the victim girl and her age at which a girl develops sufficient maturity and further considering the submission of charge sheet, period of custody of the petitioner along with his clean antecedent, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees



Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, West Champaran at Bettiah, in connection with Shikarpur P.S. Case No. 916 of 2024, subject to the conditions mentioned in Section 480 (3) of BNSS and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

U		T	
---	--	---	--

