

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37985 of 2025

Arising Out of PS. Case No.-58 Year-2024 Thana- SRINAGAR District- West Champaran

Chunni Kumar @ Chunnilal Kumar S/O Devnath Prasad R/O Village- Singahi, P.S.- Srinagar, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lakhichand Ram S/O Ramashray Ram R/O Village- Singahi, P.O.- Suryapur, P.S.- Srinagar Pujaha, District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manaur Alam, Advocate
For the Opposite Party/s	:	Mr. Binay Krishna, APP
For the Informant	:	None

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

420-08-2025

Heard learned counsel for the petitioner and learned APP for the State. None appears on behalf of the informant despite notice being validly served. Perused the case diary.

2. The petitioner seeks bail in connection with Srinagar P.S. Case No. 58 of 2024 instituted for the offences under Sections 363, 366A, 506, 34 of the Indian Penal Code and Section 3(2)(v-a) of the SC/ST Act and later on Section 8 of the POCSO Act was added.



3. Prosecution case, in short, is that, the petitioner kidnapped the informant's minor daughter for the purpose of marriage.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that victim in her statement recorded under Section 183 of the BNSS has stated that she left her house on her own sweet will and solemnized marriage with the petitioner. Learned counsel further submitted that victim is already pregnant. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.04.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that consent of the victim who is minor has no evidentiary value in the eye of law. Learned APP further submitted that police after investigation submitted charge-sheet under Sections 366, 376 of the IPC, 4,6 of the POCSO Act and Sections 3(1)(w), 3(2)(v-a) of the SC/ST Act.

6. Considering the aforesaid facts and circumstances of the case as also charge-sheet being submitted under Sections 366, 376 of the IPC, 4,6 of the POCSO Act and Sections 3(1)



(w), 3(2)(v-a) of the SC/ST Act, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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