

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44750 of 2025**

Arising Out of PS. Case No.-11 Year-2025 Thana- SHYAMPUR BHATHAN District-  
Sheohar

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Kishan Kumar @ Krishna Kumar@Krishan Kumar S/o Arvind Singh @  
Arvind Kumar Singh R/o village - Bhatha, P.S -Shyampur Bhatha, District -  
Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi W/o Surendra Singh R/o vill - Gosaipur Nilami, Post -  
Jahangirpur, P.S.- Shyampura Bhataha, Distt.- Sheohar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Devendra Kumar, Advocate  
For the Opposite Party/s : Mr. Ajit Kumar, APP

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

ORAL ORDER

3      17-09-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Shyampur Bhataha P.S. Case No. 11 of 2025 instituted for the  
offences under Sections 137(2), 87 and 3(5) of the Bharatiya  
Nyaya Sanhita, 2023.

3. Accusation against the accused persons including  
the petitioner is of luring away the informant's minor daughter  
on the pretext of marriage.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that victim in her Statement recorded under Section 183 of the BNSS has specifically stated that she left her house on her own sweet will and this petitioner never gave any compulsion or threat to her. He further submitted that nothing has been whispered against the petitioner in Section 183 BNSS statement of the victim. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.03.2025 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 stating that the consent of the minor victim has no evidentiary value in the eye of law. Learned APP further submitted that police, after investigation submitted charge-sheet against the petitioner under Sections 137(2), 87, 64 of the Bharatiya Nyaya Sanhita, 2023, Sections 4/6 of the POCSO Act and Section 9 of the Prevention of Child Marriage Act.

6. Considering the aforesaid facts and circumstances of the case, submission of the charge-sheet against the petitioner in the aforesaid Sections as also nature and gravity of offence, this Court is not inclined to grant bail to the petitioner.



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

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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