

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48469 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- DHORAIYA District- Banka

Chhaila Kumar, Son of Ugan Roy, R/O Village- Parariiya, P.S.- Dhoraiya,
Distt.- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Roopa Devi, Wife of Arjun Rai R/O Vill- Pararia, P.S.- Dhoraiya, District-
Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Dhoraiya P.S. Case No. 36 of 2025 dated 07.02.2025 instituted
for the offence punishable under Sections 126(2), 115(2),
329(4), 76, 303(2), 96, 352, 351(2), 3(5) of Bhartiya Nyaya
Sanhita, 2023 and Section 8/12 of the Protection of Children
from Sexual Offences Act.

3. Allegation against the petitioner is that he
kidnapped the daughter of the informant with intention to marry
her.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. Learned counsel for the petitioner submits that the victim in her statement recorded under Section 183 of B.N.S.S. categorically stated that she on her own will went along with the petitioner to Bhagalpur and from there, they took the train and went to Delhi where she got married to the petitioner in a temple. Then they came to know that her mother Roopa Devi has lodged the case of kidnapping against the petitioner and his family members. Thereafter, both of them returned from Delhi and then she appeared before Dhoraiya Police Station. She further stated that there is no fault on behalf of the petitioner. It is further submitted that the petitioner is having 7 month pregnancy. She has attained the age of majority and has been living in her matrimonial home. Lastly, it has been submitted that the petitioner is in custody since 03.03.2025 having no criminal antecedents. Charge-sheet has been submitted in the case.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of



Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI cum Special Judge, POCSO, Banka in connection with Dhoriaya P.S. Case No. 36 of 2025.

(Khatim Reza, J)

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