

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82551 of 2024

Arising Out of PS. Case No.-298 Year-2024 Thana- SIRDALA District- Nawada

Sachin Kumar, Son of Ramesh Prasad, Resident of Village- Jenaldih, P.S.-
Sirdalla, Distt.- Nawada, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar ,
2. Reena Devi, Wife of Late Suresh Prasad, Resident of Village- Jenaldih, P.S.-
Sirdalla, Distt.- Nawada, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 30-01-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection
with Sirdalla P.S. Case No. 298 of 2024 registered for the
offence punishable under Sections 137(2) and 87 of B.N.S.

3. The case of the prosecution is that the minor
daughter of the informant has gone for tuition classes at
Sirdalla. When she did not return till evening, the informant
started searching her and she came to know that co-villager
Sachin Kumar along with others has kidnapped her daughter.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case. It is further submitted that during course of the investigation, the victim has given her statement under Section 180 of B.N.S.S. and has stated that she has gone with Sachin Kumar with her own will. First of all, she went to Gaya and from Gaya went to Mumbai. She has also stated that she was having affair outside marriage with the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 06.08.2024.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. The learned counsel for the informant has submitted that the victim is minor and her age is 15 years.

6. From perusal of the statement of the victim under Section 180 of B.N.S.S., it transpires that she has not alleged any allegation against the petitioner regarding any sexual assault and she herself has stated that she has gone with the petitioner with her own will. This is a case of elopment.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned (S.D.J.M., Nawada/Special Court (POCSO), Nawada) in connection with Sirdalla P.S. Case No.298 of 2024.

(Ashok Kumar Pandey, J)

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