

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4402 of 2026

Arising Out of PS. Case No.-119 Year-2025 Thana- CHHABILAPUR District- Nalanda

Dhanraj Kumar, Male, aged about 21 years, Son of Kashi Thakur, Resident
of village- Makdumpur, P.S.- Mahkar, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aklesh Sharma, male, aged about 44 years, son of Krishna Sharma, Resident
of Village- Malisadh, P.S. - Chhabilapur, District- Nalanda

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar Singh No-1, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 18-05-2026 Heard learned counsel for both the parties through
virtual modes, perused the case diary and also perused the
statement of the victim girl recorded under Section 183 of the
BNSS.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 137(2), 140(3) and 3(5)
of the BNS and Sections 4/6 of the POCSO Act.

3. As per allegation in the FIR, it is a case of
kidnapping of the daughter of the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that the victim girl is minor and she had left her parents



house out of her own sweet will without there being any coercion on the part of the petitioner. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 28.08.2025.

5. Learned APP for the State opposes the prayer for regular bail of the petitioner.

6. On perusal of the first information report, impugned order dated 13.10.2025 and also perused the statement of the victim girl recorded under Section 183 of the BNSS, it appears that the victim has voluntarily went with the petitioner and thereafter she had developed love affection with the petitioner and thereafter the victim had also performed the marriage with the petitioner on 25.06.2025 at Vishnu Temple, Patna and she also stated that she has further married with the petitioner in Hilsa Court.

7. In view of the aforesaid facts and circumstances and also the fact that victim and the petitioner has performed the marriage, so let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District Judge VII-cum-Special Judge, POCSO, Biharsharif, Nalanda in connection with POCSO Case No. 158 of 2025



arising out of Chhabilapur P.S. Case No. 119 of 2025.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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