

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4395 of 2026

Arising Out of PS. Case No.-393 Year-2025 Thana- JAMUI District- Jamui

Rajeev Kumar S/o Sitaram Manjhi R/o Village - Chinveriya, P.S - Laxmipur,
District - Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priti Kumari W/o Pintu Paswan R/o Village - Bhola Nagar, Ward No. 3, P.S -
Jamui, District - Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP
For the Informant	:	Mr. Ravish Mishra, Advocate

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

ORAL ORDER

3 24-02-2026 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the informant. Perused
the case diary.

2. The petitioner seeks bail in connection with Jamui
P.S. Case No. 393 of 2025 (POCSO Case No. 79 of 2025)
instituted for the offence under Section 96 of the Bharatiya
Nyaya Sanhita, 2023. Subsequently, Section 4 of the POCSO
Act was added.

3. The prosecution case, in brief, is that on
07.07.2025, the informant, who is the mother of the victim,
alleged that her minor daughter went to tuition at Manideep
School and thereafter went missing. Upon search, it was alleged



that petitioner had abducted her daughter and kept her with him.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.09.2025. Petitioner bears three (3) criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. The learned counsel for the petitioner submits that the victim voluntarily eloped with the petitioner and solemnized marriage with him, as clearly stated in her statement, with no allegation against the petitioner. The prosecution has failed to establish the victim's age due to absence of documentary proof, making her possibly major, and the medical report shows no injuries or evidence of sexual assault. Hence, no offence as alleged in the FIR is made out against the petitioner.

6. Learned A.P.P. for the State and learned counsel for the informant has vehemently opposed the prayer for grant of bail to the petitioner. Referring to the statement of the victim recorded under Section 183 of the BNSS, 2023, it is submitted that petitioner has established physical relationship with the victim, though with consent as stated in the statement, but the consent has no value in the eye of law as the victim is stated to



be minor. Charge sheet has already been submitted in this case under Section 96 of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the POCSO Act.

7. Considering the aforesaid facts and circumstances of the case and taking into account the fact that victim is minor and nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner. Prayer for bail is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

9. However, petitioner will be at liberty to renew his prayer for bail in the Court below, if the trial is not concluded within a period of four months from the date of receipt/production of a copy of this order.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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