

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9216 of 2026

Arising Out of PS. Case No.-286 Year-2025 Thana- KALYANPUR District- Samastipur

Raja Kumar, S/o Prem Kumar Roy, R/o Village - Dhruvgama, P.S.-
Kalyanpur, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Surjeet Kumar, S/o Late Ramji Mishr, R/o Village - Dhruvgama, P.S.-
Kalyanpur, District – Samastipur, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aditi Medha, Advocate
For the Informant	:	Mr. Ranjan Kumar, Advocate
For the State	:	Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

4 16-07-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks regular bail in connection with
Kalyanpur P.S. Case No. 286 of 2025, instituted for the offences
under Sections 87, 352, 115(2), 3(5) of the BNS and 8,12 of the
POCSO Act.

3. Prosecution story, in brief, is that on 14.08.2025, at
about 10 PM, the informant and his family members were
sleeping, when the victim aged about 17 years had gone to
nature's call where Raja Kumar and three unknown persons
have already present with the four wheeler vehicle and they
have kidnapped the victim after some time had been passed the
victim did not return then the informant started searching her



out, he came to know that Raja Kumar and three unknown persons have kidnapped the victim. Thereafter, the informant went to the house of Raja Kumar's house and complaint the matter of Raja Kumar's mother then she abused the informant.

4. Learned counsel for the petitioner drawing attention of the Court stating that she by her own sweet will left the house and as per her statement she was not allured by the petitioner. The counsel further submitted that the petitioner is languishing in judicial custody since 18.10.2025 without any rhymes or reason.

5. Learned APP for the informant drawn attention towards the age of the victim stating that POCSO Act is a stringent Act and no bail can be granted in such circumstances.

6. Having heard the parties, I am of the considered view that the consent of the minor is no consent under the law. As consent of the victim has no relevance. In view of the above, this Court is not inclined to grant bail to the petitioner at this stage.

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

(Alok Kumar, J)

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