

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11514 of 2026

Arising Out of PS. Case No.-72 Year-2025 Thana- KATORIYA District- Banka

Chhotu kumar Son of Kapil Das @ Kapil Kumar Das Resident of Village -
Chitrasen, P.S.- Belhar, District - Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi Wife of Upendra Das Resident of Village - Chitrasen, P.S.-
Belhar, District - Banka

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 09-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Katoriya P.S. Case No. 72 of 2025 registered for the
offence punishable under Sections 96, 3(5) of the B.N.S., 2023.

3. The case of the prosecution, in short, is that the
petitioner has kidnapped the minor daughter of the informant.

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. During the course of investigation, the victim has given
her statements recorded under Sections 180 and 183 of the



BNSS. In her statement recorded under Section 183 of the BNSS, she has stated that she had gone to her grandmother's house, from where the petitioner took her to Giridih and solemnized marriage in a room. It is further stated that the petitioner's sister called her, took away her *mangalsutra*, wiped off the *vermilion*, and instructed her to state before the police that no marriage had taken place. However, in her statement recorded under Section 180 of the BNSS, she has stated that she had gone to her grandmother's house as her marriage was forcefully fixed by her parents. She further stated that she went to Deoghar on her own. Learned counsel further submits that there is a major contradiction between the statements of the victim recorded under Sections 180 and 183 of the BNSS. The statement under Section 180 is her previous statement. Moreover, even from the statement recorded under Section 183 of the BNSS, it is clear that she herself had gone to her grandmother's house and from there, the petitioner has taken her to Giridih. He further submits that the petitioner is also of tender age and it is case of romantic relationship between two adolescents. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 15.10.2025.



5. The application for bail is opposed by learned APP
for the State.

6. 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
Additional Sessions Judge-VI-cum-Special Judge, POCSO,
Banka in connection with Katoriya P.S. Case No. 72 of 2025.

(Ashok Kumar Pandey, J)

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