

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22097 of 2026

Arising Out of PS. Case No.-361 Year-2025 Thana- ALOULI District- Khagaria

Vikki Kumar, S/O Ravindra Sharma, R/O Village - Saharbanni, P.S- Alauli,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashutosh Kumar Verma, Advocate. Mr. S.S. Sinha, Advocate. Mr. Ashok Kumar Sinha, Advocate.
For the State	:	Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 24-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with G.R. No. 2367 of 2025 arising out of Alauli
P.S. Case No. 361 of 2025 dated 18.08.2025 registered for the
offences punishable under Sections 87, 96 and 3(5) of B.N.S.

3. As per allegation, thirteen years old daughter of the
informant was enticed away by the petitioner with cooperation
of the other co-accused who happened to be her parents-in-law
and a co-villager.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that during investigation, the alleged



victim has been traced out and she has given her statement under Section 183 B.N.S.S before learned Judicial Magistrate, as per which, she is not educated and her age in the Aadhaar Card has been wrongly shown on lower side, whereas she was born in the year 2006. As such, she is 19 years old at the time of alleged occurrence. He also refers to medico legal examination as per which, the victim has been found to be 20 years of age. She has further stated in her statement that she has voluntarily left her home to marry the petitioner and she has entered into marriage in a temple and even the petitioner established physical relationship with her consent but her mother has lodged a false case against the petitioner who is now legal husband of the alleged victim.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. In view of the major age of the alleged victim and her marriage with the petitioner as well as physical relationship



established with her consent, no offence is *prima facie* made out.

9. Hence, considering the statement of the alleged victim under Section 183 BNSS, her major age and the marriage between them, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with G.R. No. 2367 of 2025 arising out of Alauli P.S. Case No. 361 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong,



learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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