

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30240 of 2026

Arising Out of PS. Case No.-474 Year-2024 Thana- RAJAPAKAR District- Vaishali

Sunny Jha @ Suraj Jha @ Suraj Kumar son of Ravindra Jha @ Rabindra Jha
Resident of Village -Raghunathpur Khurd, PS -Mushahri, District
-Muzaffarpur Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Smriti Singh, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Rajapakar P.S. Case No. 474 of 2024, registered for the offences under Sections 137, 139 and 3(5) of the BNS.

3. As per the prosecution case, the minor daughter of the informant went missing after going to market. Subsequently, informant came to know about the petitioner and other coaccused persons who were involved in kidnapping of his daughter.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The daughter of the petitioner was never kidnapped and she voluntarily went with the



petitioner in a love affair. It was a case of consensual elopement. There is no allegation that daughter of the informant was sexually abused. However, the petitioner and the daughter of the informant got married after she attained majority and now she is staying in her matrimonial home out of her sweet will. Learned counsel further submits that the statement of the victim girl was recorded under Section 180 of the BNSS and Section 183 of the BNSS and she stated that she has been living happily in her matrimonial home. Learned counsel further submits that even as per the informant, his daughter was aged about 17 years at the time of her kidnapping which is an age at which a girl develops sufficient maturity and knows the consequences of her act. The petitioner is in custody since 05.01.2026 and charge sheet has been submitted. The petitioner has clean antecedent.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the consent of a minor is immaterial.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the consensual nature of act of the victim girl and her age and also considering clean antecedent of the petitioner, his period of custody and submission of charge sheet, the petitioner is



directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned JMFC-1st-cum-Addl. Munsif, Vaishali, Hajipur/concerned court, in connection with Rajapakar P.S. Case No. 474 of 2024, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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