

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32334 of 2026

Arising Out of PS. Case No.-166 Year-2025 Thana- Babarganj District- Bhagalpur

Raj Kumar @ Munmun S/o Gulshan Modi @ Ugrasen Modi, R/o Vill.-
Manikpur, P.S- Babarganj, Dist.- Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar.
 2. X S/o Y, R/o Village- Telghi, P.S.- Kharik, Distt.- Bhagalpur.
- Opposite Parties

Appearance :

For the Petitioner	:	Mr. Vivekanand Vivek, Advocate
For the State	:	Mr. Narendra Kumar Singh, APP
For the Informant	:	Mr. Prafull Chandra Jha, Advocate
		Mr. Keshav Kumar Jha, Advocate
		Mr. Rahul Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 17-07-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the OP No. 2.

2. In the present case, the petitioner seeks bail in connection with Babarganj P.S. Case No. 166 of 2025 dated 12.09.2025, registered for the offences punishable under Sections 96 and 3(5) of the B.N.S., 2023.

3. As per the prosecution case, the minor daughter of the informant was induced by the petitioner to transfer Rs. 90,000/- from the account of her father to the account of a friend of the petitioner, namely Narendra Bharti. Thereafter, the petitioner enticed away the daughter of the informant who fled from her house taking with herself Rs. 50,000/- in cash along



with gold and silver ornaments.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. No occurrence in the manner as alleged has ever taken place. The victim girl has returned and she recorded her statements under Sections 180 and 183 of the B.N.S.S., 2023, wherein she has stated that she was in love with the petitioner and she voluntarily went with the petitioner to Delhi as she was angry with her family members. She also stated that she solemnized marriage with the petitioner. She further stated that she was not forced into making any physical relationship. Learned counsel further submits that the allegation of taking money or ornaments is not supported by any evidence during the course of investigation. The age of the victim girl was assessed to be 14 to 16 years and she could have understood the consequences of her act. Learned counsel further submits that petitioner is a young boy aged about 19 years having clean antecedent. Learned counsel lastly submits that petitioner is in custody since 17.09.2025 and chargesheet has been submitted

5. Learned A.P.P. appearing on behalf of the State as well as the learned counsel for the OP No. 2 oppose the



submissions made on behalf of the petitioner. Learned counsel for the OP No. 2 submits that victim girl is merely aged about 14 years and she was not in a position to understand the consequences of her act, but the petitioner who is aged about 19 to 20 years gave inducement to her and made her leave her house and elope with him.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the voluntary nature of act of the victim girl though a minor and also considering petitioner's period of custody, his clean antecedent and submission of chargesheet against him, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (POCSO)-cum-Additional District & Sessions Judge-VI, Bhagalpur / concerned Court, in connection with **Babarganj P.S. Case No. 166 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. 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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