

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.36118 of 2026**

Arising Out of PS. Case No.-90 Year-2026 Thana- PAKRIDAYAL District- East Champaran

Bhola Kumar Son of Jokhu Sahani Resident of Village - Banarjhula Bhagwanpur, Police Station - Pakridayal, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar

2. [REDACTED] Police  
Station - Pakridayal, District - East Champaran.

... .. Opposite Party/s

**Appearance :**

|                      |   |                         |
|----------------------|---|-------------------------|
| For the Petitioner/s | : | Mr. Raki Alam, Advocate |
| For the State        | : | Ms. Renu Kumari, APP    |
| For the Informant    | : | None                    |

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

2      09-06-2026                      Heard learned counsel for the petitioner and learned APP for the State, through virtual mode. No one had appeared on behalf of informant yesterday and today also, no one has appeared on her behalf.

2. A prayer for bail has been made on behalf of the petitioner in connection with Pakridayal P.S. Case no. 90 of 2026 registered under section 137(2), 96 and 3(5) of the B.N.S. 2023 and Sections 4 and 8 of the POCSO Act.

3. Allegation in the F.I.R is that petitioner kidnapped the informant's daughter for the purpose of marriage.

4. Learned counsel for the petitioner submits that the present case arises out of a love affair between the petitioner who is a young boy of 22 years of age and the informant's daughter whose age has been said to be 17 years which is almost at the verge of majority. It is not a case of kidnapping rather a consen-



sual relationship and the victim after her recovery recorded her statement under section 183 of the B.N.S.S, wherein she has admitted that she is known to the petitioner since last 5 years and both of them had gone together and even solemnized marriage and started living together as husband and wife. It also appears from the bail rejection order that she refused to be medically examined. The FIR has also been lodged after delay of four days inasmuch as while the occurrence is said to have taken place on 16.02.2026, the FIR was lodged on 20.02.2026. The petitioner is in custody since 06.03.2026 and has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the state.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the statement of the victim recorded under Section 183 of the B.N.S.S, the petitioner is directed to be enlarged on bail in connection with Pakridayal P.S. Case no. 90 of 2026 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Learned Court concerned where the case is pending/successor Court.

**(Soni Shrivastava, J)**

Harsh/-

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