

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.38347 of 2026

Arising Out of PS. Case No.-77 Year-2026 Thana- SAMASTIPUR MUFFASIL District-Samastipur

Sonu Kumar, aged about 20 years, Gender-Male, S/o Pramod Paswan, Resident of Village - Chhatauna, P.S. - Mufassil, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/o Pramod Paswan Resident of Village - Chhatauna, P.S. - Mufassil, District - Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankit Kumar Jha, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP
For the Informant : Mr. Mukul Jee, Advocate

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

4 27-07-2026 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the Informant.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 74, 137(2), 96, 352, 351(2) and 3(5) of the BNS, 2023 and Sections 8 and 12 of the POCSO Act.

3. Allegation against the petitioner and other co-accused persons is to have kidnapped the minor daughter of the informant with intention to marry her.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to ulterior motive. He next submits that the informant and petitioner are co-villagers and there is petty dispute is going between them. He next submits that from perusal of the statement of the victim girl recorded under Section 183 of BNSS, it appears that the victim has been recovered and she clearly states that her parents settled her marriage to another place and she went voluntarily with the petitioner and solemnized marriage with the petitioner on her own sweet will and denied the allegation of her being kidnapped by the petitioner. Petitioner has got clean antecedent as stated in para-3 of the



petition and he is in custody since 07.04.2026.

5. Learned APP for the State as well as learned counsel for the Informant have opposed the prayer for bail of the petitioner and submits that since the victim solemnized marriage with the petitioner there is, as such, no kidnapping of the victim by the petitioner.

6. In the light of the aforesaid submissions as made by learned counsel for the petitioner as well as the fact that the victim has married the petitioner with her own sweet will, so let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Court, POCSO, Samastipur in connection with Samastipur Muffasil P.S. Case No. 77 of 2026.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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