

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39537 of 2026

Arising Out of PS. Case No.-193 Year-2025 Thana- BHARGAMA District- Araria

Sanjeev Kumar Son of Raj Kumar Yadav Resident of Village- Mahikhand
Ward No. 04, P.S.- Barhara Kothi, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX Wife of YYY Resident of Village- Raghunathpur Dakshin Ward No. 03, P.S.- Bhargama, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 23-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bhargama P.S. Case No. 193 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 139, 137(2) and 3(5) of the B.N.S., 2023.

3. The case of the prosecution, in short, is that the petitioner has kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that the occurrence is of 19.04.2025,



whereas the FIR has been lodged on 05.06.2025. There is a delay in lodging the FIR, which is not explained. He also submits that from perusal of the order of the learned trial court, it will transpire that the victim, after being recovered, has given her statement recorded under Section 183 of the BNSS, wherein she has stated that she has gone with the petitioner on her own sweet will and that she has also solemnized marriage. He further submits that the investigating officer has pasted the School Leaving Certificate of the victim, which goes to show that the date of birth of the victim is 19.02.2012. He further submits that the School Leaving Certificate is not a document of age assessment in view of Section 94 of the Juvenile Justice Act. It is well settled that the determination of the age of the victim has to be made in view of the provisions of Section 94 of the Juvenile Justice Act. He further submits that the informant has also filed a petition before the learned trial court stating that they have compromised the present case. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 03.03.2026.

5. The application for bail is opposed by learned APP for the State.



6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Araria in connection with Bhargama P.S. Case No. 193 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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