

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40269 of 2026

Arising Out of PS. Case No.-11 Year-2026 Thana- TANDWA District- Aurangabad

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Raja Kumar S/o Kapil Ram R/o Village - Sita Bigha, P.S - Tandwa, District -
Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/o Village - Sita Bigha, P.S - Tandwa, District -
Aurangabad

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nirmala Kumari, APP

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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 regular bail in a case
registered for the offence punishable under sections 96, 137 (2)
of the BNS, 2023 and sections 8 and 12 of POCSO Act.

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

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that from the perusal of
order of learned trial court, it is clear that victim has given her
statement under section 183 of BNSS whereas she has



categorically stated that she is living with the petitioner and she does not want to live with her parents. Learned counsel for the petitioner has submitted that there is no allegation of any forceful sexual act. She has further submitted that she was on talking terms with the petitioner from last one year. As the family members came to know about the relationship, they started beating her that is why she fled away with the petitioner to Chennai and solemnized marriage with him. He has further submitted that the date of birth of the victim is 16.08.2008 whereas the date of occurrence is 10.02.2026. He has further submitted that this goes to show that the victim was approaching majority and petitioner is also aged about 19 years. He has further been submitted that it is a case of romantic relationship between the petitioner and the victim who was approaching majority. A statement has been made in para-3 that the petitioner is having no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 24.03.2026.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

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 released on bail in connection with
Tandwa P.S. Case No. 11 of 2026 on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of learned Additional Session Judge-VI
Cum The Special Exclusive Judge (POCSO) Civil Court,
Aurangabad.

(Ashok Kumar Pandey, J)

Sneha/-
Dolly/-

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