

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42822 of 2026

Arising Out of PS. Case No.-230 Year-2025 Thana- PUNAURA District- Sitamarhi

Rohit Kumar Son of Ruplal Ray @ Ruplal Yadav Resident of Village-
Ranjitpur, P.S.- Punaura, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sumitra Devi Wife of Jaykishor Ray Resident of Village- Ranjitpur, P.S.-
Punaura, District- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2026 Heard the parties.

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Punaura P.S. Case No. 230 of 2025 registered for the offences punishable under Sections 137(2), 96 of BNS.

3. As per FIR petitioner alleged to kidnap the minor daughter of informant for the purpose of illicit intercourse/ marriage with another person.

4. It is submitted by learned counsel appearing on behalf of the petitioner that victim daughter of informant left her parental home on her own as she was



in love with this petitioner and as her love affairs was not approved by her parents present case was lodged and this fact surfaced in statement of victim recorded under Section 183 of the BNSS. It is also submitted that victim further stated that after leaving parental home she solemnized marriage with petitioner in one temple of Sitamarhi, thereafter went to Haryana, where they lived together as wife and husband. It is submitted that allegation of kidnapping and sexual assault is not available against this petitioner. It is also pointed out that victim refused to join medical examination. Petitioner claimed clean antecedent.

5. Learned APP while opposing the prayer of bail submitted that allegation is specifically available against this petitioner.

6. In view of aforesaid factual submission and by taking note of fact as allegation *qua* kidnapping and sexual assault *prima-facie* not appears available against this petitioner out of statement of victim recorded under



Section 183 of BNSS, where she categorically stated that she out of love solemnized her marriage with petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Addl. Sessions Judge VI cum Spl. Judge (POCSO Act) Sitamarhi /concerned Court, where the case is pending in connection with Punaura P.S. Case No. 230 of 2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

Sudha/-

U		T	
---	--	---	--

