IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66103 of 2026

CNR No. BRHC010904032026

Arising Out of PS. Case No.-145 Year-2026 Thana- MAJORGANJ District- Sitamarhi

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Mithlesh Kumar son of Naresh Yadav @ Naresh Rai Resident of Village- Shahpur Shitalpatti, Po- Riga, Ps- Sahiyara, Dist- Sitamarhi

... ... Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Y Resident of Village- Miliniya, Ps- Majorganj, Dist- Sitamarhi

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
For the Informant : Mr. Santosh Kumar, Adv.
For the Opposite Party/s : Mr. Satyanand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR

ORAL ORDER

3 30-10-2026 Heard learned senior counsel appearing on behalf of the petitioner, learned APP appearing on behalf of the State and learned counsel appearing on behalf of the Informant.

2. The petitioner seeks regular bail in connection with Majorganj P.S. Case No. 145 of 2026 registered for offences punishable under Sections 96 & 3(5) of the BNS and 6 & 4 of the POCSO Act.

3. As per the prosecution case, on 21.04.2026, the informant’s daughter (the victim), aged about 17 years, had gone to J.B. High School, Majorganj, for the purpose of admission, whereupon the petitioner, along with his family member(s), allegedly kidnapped her with the intention of compelling her to marry.

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4. Learned counsel for the petitioner submits that the petitioner is innocent, has committed no offence, and has been falsely implicated in the present case. He further submits that the petitioner had no involvement in the commission of the alleged offence as stated in the FIR. He lastly submits that the petitioner has no criminal antecedent and has been in judicial custody since 06.05.2026.

5. Learned APP appearing on behalf of the State and learned counsel appearing on behalf of the informant vehemently oppose the prayer for regular bail and submit that there is a specific and direct allegation against the petitioner of kidnapping the informant’s minor daughter, aged about seventeen (17) years, and establishing physical relations with her on the false pretext of marriage. They further submit that two prosecution witnesses i.e. victim and informant have been examined in the case, and the victim, in her statement recorded under Section 183 of the B.N.S.S., has supported the prosecution case. They also submit that the charge-sheet has already been submitted in the present case. It is further submitted that the petitioner is a married man and the father of two sons, yet he has committed such a heinous offence against a minor girl, which reflects the serious nature of the allegations

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levelled against him. Therefore, the petitioner does not deserve the privilege of regular bail.

6. Heard learned counsel for the parties and upon perusal of the records, including the case diary, this Court takes note of the specific and direct allegation against the petitioner of kidnapping the minor daughter of the informant and establishing physical relations with her on the false pretext of marriage. This Court further takes note of the fact that two prosecution witnesses i.e victim and informant have already been examined in the case, and the victim, in her statement recorded under Section 183 of the B.N.S.S., has supported the prosecution case. Having regard to the nature and gravity of the allegations, the age of the victim, and the materials available on record, this Court is not inclined to grant the privilege of regular bail to the petitioner.

7. Accordingly, the prayer for grant of regular bail is, hereby, rejected.

8. However, the learned Trial Court is directed to expedite the trial and conclude the same expeditiously.

(Girijish Kumar, J)

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