

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66684 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- Mission District- Sheikhpura

Shrawan Kumar S/O Krishna Ram Resident of Village- Samachak, P.S.-
Mission (Barbigha), Dist.- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi W/O Pradip Pandit Resident of Village- Samachak, P.S.- Mission
(Barbigha), Dist.- Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 16-02-2026 Heard learned counsel for the petitioner and learned
APP for the State. Despite valid service of notice, none appears
on behalf of the opposite party no.2.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 137(2), 96, 3(5) of the
B.N.S. and Section 4/6 of the POCSO Act.

3. As per the prosecution case, the petitioner along
with other co-accused person is said to have kidnapped the
daughter of the informant.

4. Learned counsel for the petitioner has submitted,
as the outset, that the First Information Report was lodged after
a delay of seven days and as a matter of fact, the victim was in



love relationship with the petitioner and for the said reasons she had left her house on her own will and had gone to Gujarat where she met the petitioner and solemnized marriage with him and was staying along with the petitioner. This fact has been disclosed by the victim herself in her statement both under Sections 180 and 183 of the B.N.S.S.. She has particularly stated that she had left the house as her parents were threatening to get her married and it was only in Gujarat that she had met the petitioner and has made a specific statement that no wrong was committed with her. The petitioner is in custody since 07.05.2025 and charge-sheet has been submitted.

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the factum of delay in F.I.R., coupled with the fact that the statement of the victim recorded under Sections 180 and 183 of the B.N.S.S., does not disclose any substantial allegation against the petitioner of subjecting her to any assault etc. rather the same expresses her willingness to be with the petitioner, let the above named petitioner, who is also a young boy, aged about 25 years, having no criminal



antecedents, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-cum-Special Judge, POCSO Act, Sheikhpura/concerned Court below in connection with Mission P.S. Case No. 19 of 2025, POCSO Case No.35 of 2025.

(Soni Shrivastava, J)

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