

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65075 of 2025

Arising Out of PS. Case No.-87 Year-2024 Thana- DHORAIYA District- Banka

Suraj Kumar Das S/O Baidyanath Das @ Baidyanath Harijan R/O Village-
Pair Lahoriya, P.S- Dhoraiya, Distt.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhagwati Devi W/O Nandlal Harijan R/O Village- Pair Lohoriya, P.S-
Dhoriya, Distt.- Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ankit Raj, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 11-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Dhoraiya P.S. Case no.87 of 2024
registered under sections 363, 366A and 34 of IPC and Section 8
and 12 of POCSO Act.

3. Allegation in the F.I.R is that petitioner kidnapped
the victim girl for the purpose of marriage.

4. Learned counsel for the petitioner submits that the
F.I.R. was lodged after an inordinate delay of about one year,
inasmuch as the victim left her house on 13.03.2023 whereas the
F.I.R. was lodged on 12.03.2024. During the intervening period,
the informant did not lodge any complaint against the petitioner.



It is further submitted that the case arises out of a love affair between the petitioner and the victim, pursuant to which their marriage was also solemnized. After the recovery of the victim, her statements were recorded both under Sections 180 and 183 of the BNSS, which indicate that she had left her house with the petitioner of her own free will, as they were in a consensual relationship. However, she returned home after having knowledge of the present F.I.R. lodged by her mother. It is further submitted that by order dated 23.12.2025, this Court had already granted provisional bail to the petitioner.

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

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the statement of the victim recorded under Section 183 of BNSS indicating love affair between the victim and the petitioner, interim/provisional bail granted to the petitioner vide order dated 23.12.2025 stands confirmed.

7. The application stands disposed of.

(Soni Shrivastava, J)

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