

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69842 of 2025

Arising Out of PS. Case No.-494 Year-2023 Thana- SAHPUR District- Bhojpur

Pentar Kumar @ Dineshwar Kumar @ Pentar Dhanuk @ Petar Kumar S/O
Jiut Dhanuk R/O Village- Shahpur, P.S.- Shahpur, District- Bhojpur
... .. Petitioner/s

Versus

1. The State of Bihar
2. Shail Kumari Devi W/O Krishna Paswan R/O Village- Shahpur, P.S.-
Shahpur, District- Bhojpur
... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar Mr. Deepak Kumar Mr. Sonu Kumar Yadav
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 10-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 363 and 366A of the Indian
Penal Code and Section 8 of the POCSO Act.

3. Petitioner and other accused persons are said to have
kidnapped the minor daughter of the informant for the purpose of
marriage.

4. Learned counsel for the petitioner submits that the
present case arose out of a love affair and the victim herself eloped
with the petitioner for the purposes of marrying him. Petitioner
had no knowledge that she is a minor and moreover even in her
164 Cr.P.C. statement, the victim had accepted the fact that she had
herself eloped from her house and went to Benglore and
solemnized marriage with the petitioner. However, the bail



rejection order indicates that both the victim and her mother have been examined during trial and they have both supported the case of the prosecution. It is further submitted that petitioner is in custody since 20.02.2025 and there is no likelihood of conclusion of trial in near future.

5. Learned APP for the State has opposed the application for bail on the ground that the petitioner is the main accused and the case is one under the POCSO Act and the petitioner has three criminal antecedents.

6. Taking into consideration the facts and circumstances and also considering the fact that the trial is proceeding and the bail rejection order indicates that both the victim and her mother have already been examined who have supported the prosecution case during trial, I am not inclined to enlarge the petitioner on bail at this stage. Accordingly, his prayer for bail is rejected in connection Shahpur P.S. Case No. 494 of 2023.

7. However, since the case concerns POCSO Act, the trial court is directed to expedite the trial and conclude the same preferably within a period of six months.

(Soni Shrivastava, J)

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