

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.68484 of 2025

Arising Out of PS. Case No.-290 Year-2025 Thana- DUMRA District- Sitamarhi

Navin Ray @ Navin Kumar @ Navin Rai S/O Dharam Nath Rai R/O Village-
Dhanushi, P.S- Dumra, Sitamarhi, Bihar.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Kameshwar Ray @ Kamesh Ray S/O Mahesh Ray R/O Village- Dhanushi,
P.S- Dumra, Distt.- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Smiti Bharti
For the Opposite Party/s : Mr. Nawal Kishore Pd., App.
For the Informant : Mr. Uday Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 426-02-2026
1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Dumra Police Station Case No. 290 of 2025,
disclosing offences under Sections 137(2), 96, 3(5) of the BNS,
2023 and Section 12 of the POCSO Act.

3. As per the prosecution case, the petitioner along
with co-accused Ashok Ray kidnapped the daughter of the
informant on 10.03.2025 when she went to attend the nature's
call.



4. Mr. Radha Shyam Sharma, learned counsel for the petitioner, submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on account of the fact that the co-accused was having love relationship with the victim girl and the victim girl eloped with him on the date of occurrence. This is a case of adolescent love. The girl came back on the next date, that is, on 11.03.2025 on her own before the police and stayed with her parents. After three months of her coming back, statement under section 183 of the BNSS, 2023, was recorded on 14.06.2025, wherein she has said against the co-accused and the petitioner. The statement given by the victim girl on 14.06.2025 is tutored inasmuch as after some time of recovery, the victim girl again eloped with co-accused Ashok Ray for which another FIR bearing Dumra PS Case No. 346 of 2025 was lodged on 19.07.2025. This time the girl was recovered from the custody of Ashok Ray and her statement was also recorded under Section 183 of the BNSS, 2023, on 29.07.2025, in which she has said that on 09.07.2025, she eloped voluntarily with Ashok Ray, went to Nepal, where she performed marriage with co-accused Ashok Ray at Nepal. She expressed her desire that she wants to live with her husband Ashok Ray.



5. Learner counsel for the informant and the State opposes the prayer for bail and submits that victim girl, in her statement recorded under Section 183 of the BNSS, 2023, arising out of the present FIR, has supported the prosecution case completely.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that after first incident, the victim girl, again eloped with co-accused Ashok Ray, and in her statement recorded under Section 183 of the BNSS, 2023, she has stated that she performed marriage with co-accused Ashok Ray and was having love relationship with him, I am inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Session Judge-VI-cum-Special Judge (POCSO Act), Sitamarhi, in connection with Dumra Police Station Case No. 290 of 2025, subject to the condition laid down under Section 438 (2) of the



Code of Criminal Procedure/Section 482(2) of the BNSS, 2023.

(Anil Kumar Sinha, J)

HarshPandey/-

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