

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69008 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- BITHAN District- Samastipur

Arjun Sahni @ Arjun Kumar Sahni @ Arjun Kumar Son of Hari Sahni R/o-
Manorva Khera, P.S.- Bithan, District - Samastipur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arun Kumar Son of Shree Kamalu Mahto R/o- Manorwa Khaira, Ward No.-
13, P.S.- Bithan, District - Samastipur, Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Piyush Kumar Pandey, Advocate
For the State	:	Mr. Shyam Bihari Singh, APP
For the O.P. No.2	:	Mr. Ajay Kumar, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

6 16-02-2026 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the O.P. No.2.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 137(2) and 87 of the
B.N.S., 2023.

3. As per the prosecution case, the allegation
against the accused persons including the petitioner is that due
to earlier case lodged by the informant's side, they forcibly
kidnapped the informant's sister.

4. The learned counsel for the petitioner submits
that the present case has been falsely instituted against the
petitioner in succession as earlier also another case had been



lodged from the informant's side for kidnapping of the same victim which had resulted in grant of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 31.05.2025 passed in Cr. Misc. No.17640 of 2023 (Annexure-P/1), considering the fact that the victim was assessed to be around 17 to 18 years of age and her statement under Section 164 of I.P.C. indicated that she was in love affair with the petitioner and had gone with him voluntarily. Present case has been maliciously lodged after grant of anticipatory bail to the petitioner by the brother of the victim and in the present case also the statement of the victim was recorded under Section 183 of the B.N.S.S., wherein she has reiterated the fact that she had gone along with the petitioner at her own will and had even performed marriage with him and after having come to know of the case, she herself came before the police and stated that none had committed any excess upon her. She had even categorically stated that she wants to stay along with her husband. The petitioner is in custody since 08.04.2025 and the charges have been framed in this case on 28.11.2025, however, no witness has been examined, as such, there is no likelihood of conclusion of the trial in near future.

5. Learned APP for the State as well as the learned counsel for the opposite party no.2 have vehemently



opposed the grant of bail on the ground that the victim is minor and she was kidnapped for the purpose of marriage.

6. Taking into consideration the facts and circumstances and considering the possibility of love relationship between the petitioner and the victim and the statement of the victim girl under Section 183 of the B.N.S.S., coupled with the fact that petitioner is a young boy and is languishing in custody with charges having been framed, let the above named petitioner, 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 Exclusive Special Judge (Rape and POCSO), Samastipur/concerned Court below in connection with Bithan P.S. Case No. 29 of 2025.

(Soni Shrivastava, J)

anand/-

U		T	
---	--	---	--

