

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73618 of 2025

Arising Out of PS. Case No.-377 Year-2025 Thana- HARNAUT District- Nalanda

Vicky Kumar @ Surya Narayan Kumar, aged about 21 years, Male, Son of Manoj Ram, Resident of Village- Poari, Police Station- Harnaut District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXXX. Resident of Village- Poari, P.S.- Harnaut, District- Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Harnaut P.S. Case No. 377 of 2025 instituted for the offences punishable under Sections 137(2) and 140(3) of the BNS, 2023.

3. As per allegation in the FIR, it is a case of kidnapping of the minor daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that there is love affairs between the petitioner and daughter of the informant because they are the student of the same school. He further submits that the date of occurrence is 11.08.2025 and the present



case has been lodged on 16.08.2025, after a delay of five days but there is no any plausible explanation in this regard. He next submits that the victim girl has appeared before the trial Court and gave her statement under Section 183 of the BNSS that she has not stated anything against the petitioner. She also stated that she along with the petitioner perform marriage and went to Delhi and lived there as husband and wife. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 21.08.2025.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. From perusal of the FIR, case diary, statement of the victim recorded under Section 183 of the BNSS and also perused the impugned order dated 12.09.2025 passed by the learned Additional Sessions Judge-IV-cum-Exclusive Special Judge (POCSO), Biharsharif, Nalanda it appears that allegation against this petitioner is specific. From perusal of the records, it also appears that on the basis of written report of the informant, FIR has been registered under Sections 137(2) and 140(3) of the BNS, 2023 against two co-accused persons including the present petitioner and the allegation is kidnapping of the minor daughter of the informant for the purpose of marriage. During



investigation the offences under Sections 8 and 12 of the POCSO Act was also added. It also appears that the victim recorded her statement before the learned Magistrate that the petitioner went to the temple and married with her. It is further stated that the petitioner Vicky Kumar @ Surya Narayan Kumar making sexual relation with the victim. The age of the victim is about 14-15 years, so considering the facts and circumstances of the case and submissions of learned counsel for the petitioner, I am not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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