

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75572 of 2025

Arising Out of PS. Case No.-120 Year-2025 Thana- GORAUL District- Vaishali

Sonu Kumar @ Gulu Kumar @ Golu @ Golu Kumar, S/o Asharfi Rai,
Resident of Village-Rusulpur Gangti, Police Station-Goraul (Kathara O.P.),
Distt.- Vaishali

... .. Petitioner

Versus

1. The State of Bihar
2. Vijay Paswan, S/o Late Virendra Paswan, R/o village - Rusulpur Gangti,
P.S.- Goraul (Kathara O.P.), Distt.- Vaishali

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Ranjeet Kumar, Advocate
For the State	:	Mrs. Usha Kumari 1, Spl. P.P.
For the Informant	:	Mr. Aryamani Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 10-02-2026 Heard learned counsel for the petitioner and learned

Special Public Prosecutor for the State duly assisted by

learned counsel appearing for the informant.

2. The accused/petitioner seeks bail in connection

with Goraul (Kathara O.P.) P.S. Case No.120 of 2025

registered for the offences punishable under Sections 137(2),

96 read with 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for

short 'B.N.S.') as well as Sections 3(1)(r)(s) of the Scheduled

Castes and the Scheduled Tribes (Prevention of Atrocities)

Act.

3. The accused/petitioner is named in the FIR and is



in custody since 04.04.2025.

4. Allegation against petitioner is to kidnap the minor daughter of informant aged about 17 years on 10.03.2025 while she went to attend her coaching class along with other co-accused persons for the purpose of illicit intercourse/marriage.

5. It is submitted by learned counsel appearing for petitioner that during course of investigation, after recovery of victim, her statement was recorded under Section 183 of the Bhartiya Nagrik Suraksha Sanhita (in short 'BNSS'), where she categorically stated that she out of her own sweet will left her parental house and joined the petitioner out of their love. It is submitted that the allegation of sexual assault is also not available against this petitioner rather victim out of her sweet will solemnized marriage with petitioner and living happily together. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chances of tampering with the evidence. The petitioner claimed clean antecedent.



6. Learned Spl. P.P. opposed the prayer for grant of bail to the petitioner.

7. Mr. Aryamani Kumar, learned counsel appearing for informant while opposing the prayer of bail could not disputed the aforesaid factual submissions as advanced by learned counsel appearing for petitioner and submitted that the matter has now been compromised between the parties.

8. In view of aforesaid factual submissions and by taking note of fact as victim *prima facie* negates the allegation of kidnapping and sexual assault through her statement recorded under Section 183 of the BNSS against petitioner, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 04.04.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VI-cum-Special Judge, POCSO, Vaishali at Hajipur in connection with Goraul (Kathara O.P.) P.S. Case No.120 of 2025, subject to the conditions as laid



down under Section 437(3) of the Code of Criminal Procedure
(for short ‘CrPC’)/under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

Sanjeet/-

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