

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75818 of 2025

Arising Out of PS. Case No.-398 Year-2025 Thana- TRIVENIGANJ District- Supaul

Aabhash Sardar @ Aabhash Kumar S/o Pawan Sardar R/o village- Bajitpur @
Vajitpur, PS- Triveniganj, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Goutam, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner seeks bail in connection with Triveniganj P.S. Case No. 398 of 2025 registered for the alleged offences under Sections 137(2), 96, 126(2), 352 r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the minor daughter of the informant was taken away by the petitioner with intention of marrying her.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is a case of love affair between two adolescents as both of them were studying together and fell in love. The statement of the victim girl was recorded under Section 183 BNSS and she



stated that she has been in love with the petitioner for 2-3 years and solemnized marriage with him out of her sweet will and no one has kidnapped her. On coming to know about lodging of FIR, they voluntarily appeared before the police. There is no allegation against the petitioner for any violence against the victim or any misbehaviour. Learned counsel further submits that the petitioner is a boy aged about 21 years and he is having clean antecedent. The petitioner is in custody since 31.07.2025 and charge-sheet has been submitted.

05. Learned APP for the State vehemently opposes the submission made on behalf of the petitioner. Learned APP submits that the victim girl is a minor aged about 15 years and the consent of minor is immaterial.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-cum-Special Judge, POCSO Act, Supaul/court concerned in connection with Triveniganj P.S. Case No. 398 of 2025,



subject to the conditions mentioned in Section 480(3) of BNSS
and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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