

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77702 of 2025

Arising Out of PS. Case No.-134 Year-2024 Thana- HALSI District- Lakhisarai

Vivek Kumar S/o Kumr Singh @ Kumar Singh R/o Village - Sirkhindi, P.S -
Halsi, District - Lakhisarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/o YYY Resident of Village - Sirhindi, Post - Bahda, P.S - Halsi,
District - Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rabi Bhushan, Advocate
For the Opposite Party/s :	Mr.Shyam Kumar Singh, A.P.P. Mr. Mukul Jee, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 03-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with Halsi
P.S. Case No. 134 of 2024, instituted for the offences under
Sections 363 and 366A of the Indian Penal Code and Section
3/4 of the POCSO Act.

3. Prosecution case, in short, is that on 06.04.2024, the
accused persons named in the F.I.R., including the petitioner has
kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. He
further submitted that there is delay of more than one month in



lodging the F.I.R. Learned counsel further submitted that, as a matter of fact, there was love affair between the petitioner and the victim and the petitioner and the victim girl eloped with the petitioner according to her sweet will. In the statements recorded under Sections 161 & 164 of Cr.P.C. victim has not disclosed anything against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.03.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into consideration the statement of victim recorded under Section 164 of Cr.P.C., as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Halsi P.S. Case No. 134 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the prosecution will have liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

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