

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78441 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- Balwahat District- Saharsa

Suraj Sharma @ Suraj Kumar S/o Jagdhar Sharma @ Debdhar Sharma R/o
Village - Mohaniya, Police Station - Balwahat, District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kala Devi W/o Rajesh Pandit R/o Village - Mohaniya, Police Station -
Balwahat, District - Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

4 24-02-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State. Despite valid service
of notice, no one appears on behalf of the opposite party no. 2.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 137(2), 96, 3(5) of the B.N.S.
and Sections 8, 12 of the POCSO Act.

3. Petitioner is said to have kidnapped the minor
daughter of the informant.

4. Learned counsel for the petitioner has submitted
that there is an inordinate delay of almost 10 days in lodging
the FIR. As a matter of fact, the victim had voluntarily left her
home to marry the petitioner as she was in love relationship
with him which would be disclosed from the statement of the



victim recorded Section 183 of the B.N.S.S. wherein she has admitted that she has even got married to the petitioner. However, no physical relationship has been established between them. Victim even refused her medical examination. Further, the petitioner is in custody since 29.08.2025 with no criminal antecedent.

5. Learned APP for the State has opposed the application for bail.

6. Taking into consideration the facts and circumstances and also considering the statement of the victim under Section 183 of the B.N.S.S., coupled with the fact that the petitioner has no criminal antecedent, let the above named petitioner, be enlarged 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 court below where the case is pending/successor court in connection with Balwahat P.S. Case No. 115 of 2025.

(Soni Shrivastava, J)

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