

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83141 of 2025

Arising Out of PS. Case No.-240 Year-2024 Thana- SILAO District- Nalanda

Satya Kumar @ Shakti @ Shatrudhan Kumar S/O Bhola Ram R/O Vill.-
Mltma,P.S- Silao, Dist- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushmita Kumari Chaukidar-2,Bit no-2,Mahal Chaukidar vill- Haiderganj
Kadah,P.S- Silao,Dist.- Nalanda
3. Minor Victim Girl D/O Md Julfikar through her father R/O vill- Haiderganj
Kadah,P.S- Silao,Dist.- Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Mr. Vivek Kumar
For the State	:	Mr. Binod Kumar
For the Informant	:	Mr. Udbhav, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 18-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

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

3. Learned counsel for the petitioner has submitted
that the present case arises out of love relationship between the
petitioner and the victim and the victim after recovery in her
statement recorded Section 183 of the B.N.S.S. has clearly
stated that she was never kidnapped rather she voluntarily went
all alone to Surat where she met the petitioner and solemnized



marriage with him. After having come to know of the fact that her mother had filed a case against her she came back and on a specific court question she has replied that she wants to go with the petitioner and stay with him. It is further submitted that the victim has even refused a medical examination as such, no medical report of the victim with regard to her age etc. is on record. Earlier also, another case had been filed against the petitioner with regard to kidnapping of the same girl but the said case has resulted in an acquittal. Further, the petitioner, who is also a young boy of 21 years of age, is in custody since 12.09.2024 and the case is running only at the stage of prosecution evidence and there is no likelihood of the conclusion of the trial in near future.

4. Learned APP for the State and learned counsel for the informant have opposed the application for bail on the ground that the victim is a minor girl of 16 years of age and minor's consent would be no consent in the eyes of law and since this is second occasion when the petitioner attempted to flee away with the victim, he should not be granted the privilege of bail.

5. Taking into consideration the facts and circumstances of the case and also considering that the victim



has accepted a love relationship with the petitioner by negating the factum of kidnapping, coupled with the fact that the petitioner, who has no criminal antecedent, has remained in custody since long and there is no likelihood of the conclusion of trial in the near future, the provisional bail granted to the petitioner vide order dated 03.12.2025 stands confirmed.

(Soni Shrivastava, J)

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