

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87098 of 2025

Arising Out of PS. Case No.-672 Year-2025 Thana- NAWADA District- Nawada

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Sagar Kumar S/O Sikender Paswan R/O Vill.- Islamnagar, P.S.- Chandradeep,
Dist.- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. X W/O Kanhiya Pandey R/O Vill.- Godapur, P.S. and Dist.- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Vishoka Nand, Advocate
For the Opposite Party/s : Mr.Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 140 (3) of the BNS.

3. The case of the prosecution is that the petitioner had kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. During the course of investigation, the victim was recovered and she gave her statement under Section 183 of the BNS wherein she has stated that the petitioner is a friend of her brother-in-law and that she



was on talking terms with him. She further stated that she decided to marry the petitioner and that they solemnized their marriage in the month of December, 2024 in a temple at Gaya. As the petitioner belongs to a different caste, her family members were not in favour of the relationship. She also stated that she went to Chennai with the petitioner and lived there for about one and a half months during which period they established physical relations. Moreover, the petitioner is languishing in judicial custody since 07.08.2025 having no criminal antecedent.

5. Learned counsel appearing on behalf of the Informant has opposed the prayer of regular bail stating that victim is minor.

6. From a bare perusal of the materials available on record, it appears that the victim refused to undergo medical examination and with regard to her age, the Investigating Officer of this case has relied only upon a certificate issued by the Government School, Pandra, which is not a valid or conclusive document under Section 94 of the Juvenile Justice (Care and Protection of Children) Act.

7. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on



bail. The above named petitioner is directed to be released on bail in connection with Nawada Town P.S. Case No. 672 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge – VI cum Special Judge (POCSO Act), Nawada.

(Ashok Kumar Pandey, J)

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