

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89460 of 2025

Arising Out of PS. Case No.-7 Year-2025 Thana- MITHANPURA District- Muzaffarpur

Bipin Kumar @ Vipin Kumar, S/O Sanjoo Paswan, R/O Shakti Nagar Colony,
Sherpur, P.S- Sadar, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/O Y, R/O Sherpur, Kayasth Tola, P.S- Sadar, Distt.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Mithanpura P.S. Case No. 7 of 2025 (Gr. No. 170 of 2025) registered for the offence punishable under Sections 137(2) and 96 of B.N.S., Section 8 of POCSO Act and Section 9 of Prohibition of Child Marriage Act.

3. The case of the prosecution, in short, is that the daughter of the informant has gone in a coaching but when she did not return for a considerable time, she was being searched and the informant came to know that she has been kidnapped by this petitioner.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted that for the same occurrence, two F.I.Rs. have been lodged. In the present F.I.R., the age of the victim has been disclosed to be 18 years whereas in the subsequent F.I.R., the age of the victim has been disclosed as 17 years. It has also been submitted that during course of investigation, the victim has given her statement under Sections 180 and 183 of the B.N.S.S. wherein she has stated that the petitioner told her to follow him to the fair. She followed him. After that, they went to station on a tempo. They took a train and went to Samastipur. There, they live for four days in a room and both have solemnized marriage. It has also been submitted that from perusal of the statement of the victim under Section 183 of the B.N.S.S., it is clear that she was not enticed by the petitioner rather she has gone herself with the petitioner. It has also been submitted that there is different version of the prosecution regarding the age of the victim. Learned counsel for the petitioner has also submitted that he has filed the documents showing that the victim is aged about 18 years. Petitioner is languishing in judicial custody since 23.06.2025.



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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class(East), Court No. 17, Muzaffarpur in connection with Mithanpura P.S. Case No. 7 of 2025 (Gr. No. 170 of 2025).

(Ashok Kumar Pandey, J)

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