

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91172 of 2025

Arising Out of PS. Case No.-161 Year-2025 Thana- PIPRAHI District- Sheohar

Sonu Kumar @ Sonu Yadav Son of Sundrika Rai Resident of Village-
Parsauni Baij, P.S.- Piprahi, District- Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX Wife of Late Kesholal Sah Resident of Village- Parsauni Baij, P.S.-
Piprahi, District- Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Khanna, Adv.

For the Opposite Party/s : Mr. Surendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-01-2026 Heard learned Advocate appearing on behalf of the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Piprahi P.S. Case No. 161 of 2025, registered for the
offences punishable under Sections 137(2), 96 and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the petitioner is of enticing
away the daughter of the informant and solemnizing marriage,
besides the accusation of threatening and taking away Rs.
50,000/-.

4. Learned Advocate appearing on behalf of the



petitioner taking this Court through the FIR contended that the alleged occurrence took place on 02.04.2025, but surprisingly the present FIR came to be instituted on 14.08.2025, after a delay of four months and ten days, without there being any explanation for the delay in institution of the FIR. In fact the petitioner and the victim girl were in good relationship and later on, after realizing the fact that they have attained the majority, solemnized the marriage, but as the family members of the victim was not happy with such marriage, the present FIR came to be instituted. It is next contended that the matriculation certificate also supports the submissions regarding majority of the victim girl, inasmuch as, her date of birth has been shown to be 16.04.2007 and the FIR came to be instituted on 14.08.2025. In the aforesaid premise the learned Advocate for the petitioner submits that there is no application of penal provision of Protection Of Children from Sexual Offences Act. The petitioner undertakes that he will fully cooperate in the proceeding of the Court and abide by the terms and condition.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submits that there is a specific accusation against the petitioner of enticing away the minor daughter of the informant.



6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the unexplained delay in lodging of the FIR, coupled with the fair antecedent of the petitioner and as also the fact that the victim *prima facie* appears to be major and was a consented party, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, POCSO, Sheohar, District Sheohar in connection with Piprahi P.S. Case No. 161 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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