

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91150 of 2025

Arising Out of PS. Case No.-16 Year-2023 Thana- PARASBIGHA District- Jehanabad

Suraj Kumar S/O Uday Yadav R/O Village- Mirganj, P.S- Shakurabad, Distt.-
Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. XX D/O YY R/O Village- Kindui, P.S- Parsbigha, Distt.- Jehanabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 28-01-2026 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 366(A), 504, 506 and 34 of the Indian Penal Code and under Sections 4 and 7 of the POCSO Act.

3. The case of the prosecution is that the petitioner has 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. It is further submitted that during the course of trial, the victim has been examined by the prosecution, as P.W. 1 and in her examination-in-chief, she has



stated that she had gone with the petitioner of her own free will and that they had solemnized marriage in a temple at Jehanabad. She has further stated that at the time of marriage, she was about about 16 years of age and thereafter, she went to her matrimonial home. She has stated that she was living in her matrimonial home and that out of said wed-lock child was born who is now aged about 10 years Moreover, the petitioner is languishing in judicial custody since 26.05.2025 having no criminal antecedent.

5. During the course of hearing, the victim was personally present with her baby and she reiterated that she had solemnized marriage with the petitioner in her own free will. In her cross-examination, she has stated that she had gone with the petitioner voluntarily as her father was against this marriage and had lodged the present case. In paragraph-7 of her deposition, she has categorically stated that nobody had kidnapped her and no one had established any forceful relationship with her.

6. Learned APP appearing for the state has vehemently opposed the prayer of regular bail.

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 Parasbigha P.S. Case No. 16 of 2023 on
furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of learned
ADJ-VIth cum Special POCSO, Judge, Jehanabad.

(Ashok Kumar Pandey, J)

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