

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91887 of 2025

Arising Out of PS. Case No.-290 Year-2025 Thana- DUMRA District- Sitamarhi

Ashok Kumar @ Ashok Rai Son of Late Surajdeo Rai Resident of village -
Dhanushi, P.S.- Dumra, Sitamarhi, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kameshwar Ray @ Kamesh Ray Son of Mahesh Ray @ Mahanth Rai
Resident of Village - Dhanushi, P.S.- Dumra, District - Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Smiti Bharti, Advocate
For the State	:	Mr. Humayou Ahmad Khan, APP
For the Informant	:	Mr. Shashi Bhusan Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

5 18-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has preferred this application for grant of regular bail in connection with Dumra P.S. Case No. 290 of 2025 registered for the offences punishable under Sections 137(2), 96 and 3(5) of the B.N.S. and under Section 12 of the POCSO Act.

3. As per the prosecution case, the petitioner along with co-accused Navin Ray kidnapped the minor daughter of the informant on 10.03.2025 when she went to attend the nature's call.

4. Learned counsel for the petitioner has submitted



that the petitioner has not committed any offence in the manner alleged and has falsely been implicated in this case only on account of the fact that the petitioner was having a love relationship with the victim girl and the victim girl eloped with him on the date of occurrence. Moreover, it is a case of adolescent love. The victim girl came back on the very next date i.e., on 11.03.2025 on her own before the police and stayed with her parents. After three months of her coming back, statement under section 183 of the BNSS, 2023, was recorded on 14.06.2025, wherein she has made allegation with respect to illegal confinement. It has further been submitted that the victim willfully joined the company of the petitioner for which another FIR bearing Dumra PS Case No. 346 of 2025 was lodged. This time the girl was recovered from the possession of the petitioner and her statement was also recorded under Section 183 of the BNSS, 2023, in which she has categorically stated that she eloped voluntarily with the petitioner and went to Nepal, where she performed marriage with him. She expressed her desire that she wants to live with the petitioner as husband and wife. Moreover, co-accused Navin Ray@ Navin Kumar@ Navin Rai has already been granted the privilege of anticipatory bail by a co-ordinate bench of this Court vide order dated 26.02.2026



passed in Cr. Misc. No. 68484 of 2025. Lastly, it has been submitted that the petitioner has clean criminal antecedent and is in custody since 29.07.2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and have submitted that a victim is a minor girl.

6. Considering the aforesaid submissions of the parties and particularly the statement of the victim recorded under Section 183 of the B.N.S.S., let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi, in connection with Dumra P.S. Case No. 290 of 2025.

7. The application stands allowed.

(Praveen Kumar, J)

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