

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1980 of 2026

Arising Out of PS. Case No.-534 Year-2025 Thana- HILSA District- Nalanda

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Rohit Yadav Son of Ganesh Yadav @ Ganesh Kumar @ Ganesh Prasad R/o
Village - Koshiyawan, P.S - Ekangarsarai, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mrs. X Wife of Mr. Y R/o Village - Goriya Bigha, Junior Tola, P.S. - Hilsa,
Dist. - Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sonu Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Singh, APP
For the Informant	:	Mr. Shambhu Narayan Singh, Advocate
		Mr. Suraj Kumar Tiwari, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 06-04-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Hilsa P.S. Case No. 534 of 2025 registered for the offences punishable under Sections 137(2), 96 and 3(5) of the B.N.S., under Section 4/6 of the POCSO Act and under Section 9 of the Child Marriage Prohibition Act, 2006.

3. As per the prosecution case, on 07.08.2025, the daughters of the informant victim (x) and victim (y) aged about 14 ½ years and 15 years respectively went out of the house. A thorough search was made by the informant and during the



course of search it transpired that this petitioner along with co-accused persons Satish Kumar and Sanarjit Kumar had kidnapped her daughters for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that the allegation of kidnapping is not true. The petitioner was in fact in a consensual relationship with one of the victims, who has stated that she was involved in a love affair with the petitioner and out of her own free will, she joined the petitioner's company and they solemnized their marriage at a temple in Delhi. When the informant assured them that their marriage would be conducted lawfully, they returned from Delhi. While the victim, (y), the sister of victim (x), has stated that she and victim (x) went to the railway station without informing anyone, thereafter, victim (x) went along with the petitioner, who gave her some money to visit her maternal grandmother's house. It has also been submitted that there is no element of "enticing away" and "taking away" against the petitioner so as to constitute the offence under Section 96 of the B.N.S. Moreover the victim is on the verge of majority and she was not of such tender age so as to not understand the consequences of her action. Both the



victims have not alleged any physical/sexual assault against the petitioner. It has lastly been submitted that the petitioner has clean criminal antecedent and is in custody since 10.08.2025

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties as well as the respective statement of the victims recorded under Section 183 of the B.N.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, Nalanda, in connection with Hilsa P.S. Case No. 534 of 2025.

7. The application stands allowed.

(Praveen Kumar, J)

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