

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1108 of 2026**

Arising Out of PS. Case No.-262 Year-2023 Thana- TARIYANI CHOWK District- Sheohar

Raja Kumar @ Shushil Kumar S/o Kalewar Rai, R/o Village - Lohsurka, P.S.-  
Tariyani Chaapra, District- Sheohar.

... .. Petitioner

Versus

1. The State of Bihar.
2. 'X' D/o Late Shivshankar Sharma, R/o Village- Rampur Pokhadi, P.S.-  
Tariyani, Distt.- Sheohar.
3. Pintu Kumar S/o- Shiv Shankar Sharma, R/o- Vill- Rampur Pokhdi, P.S.-  
Tariyani, Dist- Sheohar, 843131.

... .. Opposite Parties

**Appearance :**

|                    |   |                            |
|--------------------|---|----------------------------|
| For the Petitioner | : | Ms. Muskan Singh, Advocate |
| For the State      | : | Mr. Zainul Abedin, APP     |
| For the OP No. 2   | : | Ms. Alka Pandey, Advocate  |

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

6      08-07-2026                      Heard learned counsel for petitioner, learned APP  
for the State and learned counsel for the OP No. 2 (victim).

2. Despite valid service of notice no one appears on  
behalf of OP No. 3.

3. In the present case, the petitioner seeks bail in  
connection with Bail Petition No. 186 of 2025, arising out of  
Tariyani P.S. Case No. 262 of 2023 dated 14.11.2023, registered  
for the offences punishable under Sections 363, 366A and 34 of  
the India Penal Code.

4. As per the prosecution case, the minor sister of  
the informant was enticed away by the petitioner with an  
intention to marry her with the help of other co-accused persons.



5. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. The informant has lodged this case after delay of three days without any plausible explanation. The true facts of the case is that the victim girl herself left her house and solemnized marriage with the petitioner and both of them went to Andhra Pradesh where they started living together. The victim girl and the petitioner now have a child. Learned counsel further submits that the statement of the victim girl was recorded under Section 183 of the B.N.S.S., 2023, wherein she has stated the aforesaid facts. Learned counsel further submits that victim girl has been staying in her matrimonial home. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 13.08.2025.

6. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner and submits that victim girl was minor and was aged about seventeen years and the petitioner took advantage of her and enticed her away and established physical relationship with her.

7. Learned counsel appearing on behalf of the



victim (OP No. 2) supports the contentions of the learned counsel for the petitioner and submits that the victim has been staying happily in her matrimonial home.

8. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the voluntary nature of the act of the victim girl and her age at which a girl develops sufficient maturity and also considering petitioner's clean antecedent, his period of custody and the submission of chargesheet against him, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO, Sheohar / concerned Court, in connection with **Bail Petition No. 186 of 2025, arising out of Tariyani P.S. Case No. 262 of 2023**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

*(i) One of the bailors will be a close relative of the petitioner.*

*(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.*



*(iii) In case of absence on three consecutive dates  
or in violation of the terms of the bail, the bail bond of the  
petitioner will be liable to be cancelled by the Court concerned.*

**(Arun Kumar Jha, J)**

Shahnawaz/-

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