

**IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1st-CUM-
SPECIAL JUDGE (SC/ST, NDPS & CHILDREN ACT)
AURANGABAD (BIHAR)**

BAIL APPLICATION NO. 178 OF 2026

OBRA PS CASE NO: 418 OF 2025

Akshay Kumar @ Kariman, aged about 23 years, S/o-Munna Paswan, R/o Village-Chapari, PS-Obra District-Aurangabad(Bihar)

....Petitioner

Versus

State of Bihar

....Prosecution

Appearance:

Learned Counsel for the accused-petitioner
Learned Counsel for the State

- Shri Chandradip Paswan, Ld. Advocate
- Shri Ram Naresh Prasad, Ld. APP

Order with signature of the Court

**Dated
11.03.2026**

The bail preferred on behalf of the accused-petitioner namely **Akshay Kumar @ Kariman** who has been in judicial custody since 22.12.2025 in connection with Obra PS Case No. 418/2025 under Section 96 of the Bhartiya Nyaya Sanhita (BNS), 2023. The CD was called for and the same has been received. After furnishing the copy of the bail petition to the Additional Public Prosecutor and this bail petition pressed today.

The learned counsel for the petitioner pressing the bail application, reciting the contents of the F.I.R. has tried to show that the accused-petitioner is innocent and has committed no offence. NO an bail application has earlier been filed on behalf of the petitioner either before this court or the Hon'ble High Court. It is further submitted that petitioner is accused in Obra PS Case No. 290/2023 in which he is on bail. It is further stated that the daughter of informant Soni Kumari and the accused-petitioner both are majors and due to love affairs between them and on 24.12.2025, they got married in Shri Ram Mandir, Surat for which the marriage certificate is also attached to this bail petition. It is further added that according to the Adhar-card of Soni Kumari, her date of birth is 01.01.2007, although, the informant prepared a fake card of his daughter's date of birth which is 01.01.2010 and on this basis that fake card, the informant produced the school certificate. It is also said that it is true that Soni Kumari is minor and her age is 16 years. It is further stated that on 21.01.2026, Soni Kumari herself deposed before the SI- Nidhi Kumari in Obra PS U/s-180 of the BNSS that they have been talking to each other for the last 5 years and she herself went away to Surat with Akshay Kumar and solemnized the marriage with him and she wants to live with her husband. He further submitted that in the case diary, all the witnesses are family members of the informant and there are no any independent witnesses in the case diary. The petitioner has been languishing in judicial custody since 22.12.2025. The learned counsel for the accused-petitioner has submitted that he is ready to furnish bail bonds of reasonable amount to the satisfaction of this court.

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Cont....
11.03.2026

Hence, he prayed to enlarge the petitioner on bail.

Per-contra, Shri Ram Naresh Prasad, the learned Additional Public Prosecutor appeared on behalf of the State and submitted that the petitioner has committed serious offence of kidnapping of a minor girl with intention to marriage. Hence, prayed to reject the bail petition.

Perused the case record as well as case diary and perusal of case diary, it transpires that the petitioner is named in FIR. The allegation against the petitioner is that he lured and kidnapped the informant's minor daughter with intention to marry her. Perusal of the case diary para- 2, 3 and 4 goes to show that in the course of investigation, re-statement of informant and the statement of the witnesses have been recorded by the I.O. of this case under section-180 BNSS. In their respective statements, the witnesses have supported the allegations of kidnapping. Further, it has been alleged that the accused Akshay Kumar @ Kariman has kidnapped the informant's daughter for marriage. From perusal of para-23 of the case diary, it appears that the victim girl has stated in her statement U/s-180 of the BNSS that she is in love affairs with accused-petitioner and had gone with him of her own free will. They got married in a temple at Surat. When the victim came to know that her father registered a case in Obra PS, then she along with her husband-Akshay Kumar(accused-petitioner) came at the Obra PS. She still wants to live with her husband(accused-petitioner). It is apparent from the case diary that the prosecution story is an issue of love affair. But, the documents attached with the case diary shows that the date of birth of the victim girl is 01.01.2010 in her Aadhar Card and educational certificates, which is the age of a minor on the date of alleged occurrence. The victim Soni Kumari was aged about 15 years 11 months and 24 days, on the date of occurrence, which shows that she is a minor and under the guardianship of her parents. The accused-petitioner also bears prior criminal history which is also mentioned in the FIR and bail petition itself. The materials available on the judicial record reflects that this is the case of kidnapping and the facts also shows that the petitioner had married a minor girl and the investigation of this case is still pending.

So, Considering the facts and circumstances of this case and serious nature of allegations of kidnapping of a minor girl as made out against the accused-petitioner, I am not inclined to enlarge the accused-petitioner namely **Akshay Kumar @ Kariman** on bail. Therefore, this bail petition is hereby stand **rejected**.

Dictated and corrected by me.

(Vishwa Vibhuti Gupta)
District & Additional Sessions Judge-1st-cum-
Special Judge (SC/ST, NDPS & Children Act)
Aurangabad, Bihar
Dated: 11.03.2026

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