

Bijay Kumar, S/o- Domi Rishidev,
R/o- village- Bihariganj, P.S. Bihariganj, District- Madhepura.

.... Petitioner

Vs.

State of Bihar O.P.

12/05/26

A regular bail petition has been filed on behalf of above named petitioner, who is in custody since 17.01.2026 in connection with Bihariganj P.S. Case No. 12/2026 u/s- 137 (2), 96 3(5) BNS has been pressed today for hearing. Copy of petition already served to Id P.P. for state.

Heard Sri Naresh Sharma learned lawyer appearing on behalf of the petitioner and Id. P.P for the State on behalf of informant and perused the case record.

The prosecution case in brief is that the informant Bibi Hasbun has lodged an FIR to this effect that on dated 04.01.2026 her minor daughter was returning to her house after studying from school. In the meantime, Bijay Kumar (petitioner) with the help of other unknown persons kidnapped the minor daughter of the informant by Scorpio vehicle. After searching, informant lodged the FIR against the accused persons.

12.5.26 ✓
The Id. Counsel for the petitioner has submitted that the petitioner is quite innocent and has falsely been implicated in this case. It is further submitted that no bail application has been filed on behalf of the petitioner in any other superior court or it is pending anywhere. The petitioner has got no criminal antecedent. The instant case has been lodged against the petitioner in the matter of love-affairs and victim girl's statement has been recorded by the court in which she stated that she left her house with petitioner and married with him voluntarily. Petitioner has got no criminal antecedent. There is no chance of absconding or tampering with evidence so the petitioner should be enlarged on bail.

Ld. PP during argument has opposed the prayer of this bail petition.

12/05/26

Heard, both sides and perused the FIR and case-record. On perusal, it reflects that the petitioner is booked u/s- 137 (2), 96 3(5) BNS for kidnapping of minor daughter of informant. Re-statement of informant (in para- 2), statement of witnesses (in para- 6 & 7), Place of occurrence (in para- 5) have supported the case of prosecution. Statement u/s 183 BNSS made by victim girl, in which she said that she has eloped with Vijay (petitioner) and married with him voluntarily. So, it appears that victim girl is quite apparent that petitioner was in continuous company of victim girl and has retained the minor girl of informant without permission of her legal guardian. Educational testimony reflects that the date of birth of victim is 12.09.2012 mentioned at her School Certificate R/w- para- 37, appears minor at the time of occurrence. On completion of investigation police has found the case true and submitted Charge-sheet against the petitioner. Considering the facts and circumstances of the case, I am not inclined to enlarged the petitioner on regular bail. Accordingly, this regular bail petition filed on behalf of the petitioner namely, Bijay Kumar stands, **rejected**.

Dictated

(Amit kumar Pandey)

Dist. & Addl Sessions Judge-VI
-cum-Spl. Judge, POCSO,
Madhepura

