

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.842 of 2025

Arising Out of PS. Case No.-128 Year-2024 Thana- DHAMOUL District- Nawada

Sajan Kumar Son of Pyare Ravidas village- Baruna, Ps- Ariari, Dist-
Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar, Adv.

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 07-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Dhamaul P.S. Case No. 128 of 2024 instituted for the offences
under Section 96 of the B.N.S., 2023.

3. As per prosecution case, the accusation against the
petitioner is of inducing and taking away the minor Informant's
daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that there is a love affair between the
Informant's daughter and the petitioner. The police has
recovered the victim girl from the house of the petitioner but,



she in her statement recorded under Section 183 of the B.N.S.S. has not made any allegation against the petitioner rather she has stated that she on her own sweet will had gone along with the petitioner and both of them have also solemnized marriage in a temple. Thus, the victim girl has not made any allegation of inducement against the petitioner. He further submits that the co-accused Babita Devi has already been enlarged on bail by the learned court below. There is also delay of two days in lodging the F.I.R. and, that too, without there being any plausible explanation for such delay which creates doubt in the veracity of the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 06.11.2024 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The victim girl is minor. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner and co-accused Babita Devi under Section 96 of the B.N.S., 2023.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case,



the period of custody of the petitioner, the petitioner having no criminal antecedent as also taking into account the 183 statement of the victim girl wherein she has not made any specific allegation of any overt act against the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dhamaul P.S. Case No. 128 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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