

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6770 of 2025

Arising Out of PS. Case No.-307 Year-2022 Thana- LAURIA District- West Champaran

Mujibur Rahman @ Nazir Mian S/O Ali Emam Miyan Resident of Vill-
Lipni, P.S.- Lauriya, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sarfaraz Ahmad S/O Sheikh Amil Resident of Vill- Lipni, P. O - Baswariya
P.S.- Lauriya, Dist- West Champaran

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 23-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Lauriya P.S. Case No. 307 of 2022 registered for the offences

under Sections 363, 366 A & 34 of IPC and Section 8 of

POCSO Act.

3. The petitioner is named in the F.I.R. and is in

custody since 12.09.2024.

4. The allegation against the petitioner is to kidnap

the minor daughter of the informant aged about 16 years for

the purpose of illicit intercourse or seduced/forced her to



marriage with another person.

5. Learned counsel appearing on behalf of the petitioner submitted that victim after recovery while recording her statement under Section 183 of the BNSS completely denied allegation of kidnapping and sexual assault, rather she stated that she was in love affairs with petitioner since last four years of the occurrence and when her parents could not solemnize marriage with petitioner as per promise, she accompanied petitioner for Delhi. While concluding the argument it is submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. Despite service of notice informant failed to join the present court proceedings.

8. In view of the facts and circumstances as mentioned above and by taking note of fact as victim completely denied the allegation of kidnapping/sexual assault



through her statement as recorded under Section 183 of the BNSS, rather she categorically stated to solemnize marriage with petitioner, coupled with the fact as petitioner is in custody since 12.09.2024, accordingly, petitioner, above named, is directed to be released on bail in connection with Lauriya P.S. Case No. 307 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, POCSO, Bettiah, West Champaran/concerned court, subject to the conditions as mentioned under Section 480(3) of the BNSS.

(Chandra Shekhar Jha, J.)

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