

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 4819 of 2025

Arising Out of PS. Case No.-256 Year-2024 Thana- JOKIHAT District- Araria

Nadim Son of Late kashim village- Bagdarha, Ward no. 9, Ps- Jokihat, Dist- Araria

... .. Petitioner/s

Versus

1. The State of Bihar

2. Wasik Son of Late Sattar village- Bagdarha, Ps- Jokihat, Dist- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Ritwik Thakur, Adv. Ms. Vaishnavi Singh, Adv.
For the Informant/s	:	Mrs. Susmita, Adv.
For the Opposite Party/s	:	Mrs. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

5 07-07-2025

Heard learned counsel for the petitioner, learned

counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 126(2), 115(2), 74, 303(2), 64, 352, 351(3), 3(5) of the B.N.S. and Section 4 of the POCSO Act in which police after investigation submitted charge-sheet under Section 64 of the BNSS and Section 6 of the POCSO Act.

3. As per the prosecution case, the informant has alleged that his daughter was a minor and had a love affair with the petitioner and subsequently on 21.07.2024, the petitioner kidnapped her and when the informant inquired about them, he was informed that his daughter was in the clutches of the petitioner and the informant had even asked to perform marriage. It is next alleged that the petitioner and other accused



persons assaulted the daughter of the informant and had snatched away the ornaments.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It has also been submitted that admittedly there was a love affair between the petitioner and the daughter of the informant and during the pendency of this application, the parties have compromised and they have also filed a petition before the learned Court below, stating therein that soon the marriage shall be solemnized between the petitioner and the victim/daughter of the informant. It has further been submitted that the petitioner has clean antecedent and is languishing in languishing in judicial custody since 27.08.2024.

5. Learned APP appearing for the State has opposed the prayer of regular bail of the petitioner. Learned Counsel for the informant has submitted that the factum of compromise is not denied and he has also admitted that the marriage shall soon be solemnized, and as such, there is no opposition to the bail application, as far as the informant is concerned.

6. Considering the aforesaid facts and circumstances of the case and taking into account the fact that the parties have compromised and marriage is to be solemnized soon, which is



apparent from the counter-affidavit filed on behalf of the informant, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) on each of them with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Jokihat P.S. Case No. 256 of 2024 subject to the conditions:-

(a) One of the bailors of the petitioner shall be his/her close relative.

(b) The petitioner shall remain physically present in Court on each date of the trial.

(c) In case of absence on two 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.

7. Accordingly, the present bail application stands allowed.

(Sourendra Pandey, J)

Sudhanshu/-

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