

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5212 of 2025

Arising Out of PS. Case No.-380 Year-2023 Thana- PIPRA District- East Champaran

Nandlal Baitha Son of Bhukhal Baitha R/O- Mani Chhapra PS-Chakia
District- East Champaran at Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjay Kumar son of Suresh Baitha village- Kuriya, ps- Pipra, Dist- East champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Adv.
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	Mr. Vijay Shankar Shrivastava, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 18-06-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with Pipra
P.S. Case No. 380 of 2023 instituted for the offences under
Sections 363, 366(A) of the Indian Penal Code and Section 8 of
the POCSO Act.

3. As per prosecution case, the petitioner and other
accused persons named in the F.I.R. kidnapped the Informant's
minor sister aged about 14 years while she was going to her
school.

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 delay of more than eight days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that the petitioner's son and informant's daughter were known to each other and, on the belief of getting married, both of them have eloped from their house. Both of them have not been recovered as yet. Learned counsel for the petitioner submits that there is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The specific allegation is against his son of taking away the Informant's daughter. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.11.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

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 and the petitioner having no criminal antecedent, 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 Pipra P.S. Case No. 380 of 2023, 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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