

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10287 of 2025

Arising Out of PS. Case No.-159 Year-2023 Thana- MAHUA District- Vaishali

Sachin Kumar @ Sachin Rai Son of Raju Rai village- Chak Mahesi PS
-Maniyari District -Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Upendra Rai Son of Late Dahaur Rai village and PO -Kanhauli Vishanparasi
Mansipur PS- Mahua District- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Bela Singh, Advocate
For the Opposite Party/s	:	Mr. Vinod Shanker Modi, APP
For the Informant	:	Mr. Avinash Kumar Pandey, Advocate

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

ORAL ORDER

3 11-04-2025 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 Mahua
P.S. Case No. 159 of 2023 instituted for the offences under
Sections 363, 365, 34 of the Indian Penal Code and Sections, 4,
6, 8 & 10 of the POCSO Act.

3. As per prosecution case, the accusation against the
petitioner is of being involved in kidnapping of the Informant's
minor 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. Learned counsel submits that victim was neither abducted nor her modesty was outraged by the petitioner. Victim in her statement recorded under Section 164 of the Cr.P.C. has stated that no one abducted her and she herself left her house. Charge sheet is submitted in this case and charge is also framed. Petitioner and victim have performed marriage. The petitioner has no criminal antecedent and is languishing in judicial custody since 27.03.2024 without any rhymes or reason. Father of the petitioner has been granted bail by this Court vide order dated 24-06-2024, passed in Cr. Misc. No. 10889 of 2024.

5. On the other hand, learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner stating that this is a case of kidnapping the minor daughter of the Informant.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and keeping in view the fact that victim has not whispered 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 Mahua P.S. Case No. 159 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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