

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9498 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- CHORAUT District- Sitamarhi

Pravij Thakur @ Praveen Kumar Son of Kailash Thakur Resident of village-
Chhotka Bhitha PS -Sursand District -Sitamarahi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jagarnath Jha Son of Ram Sogarath Jha village- Dumarwana, Ps- Chaurat,
Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Niraj Kumar Sharma, Advocate
For the State	:	Md. Shakir Ahmad, APP
For the Informant	:	Mr. Santosh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Choraut P.S. Case No. 15 of 2024, dated
12.02.2024, registered for the offences punishable under
Sections 363, 365 and 366(A) of the Indian Penal Code and
Section 10 of the POCSO Act.

3. As per allegation, 17 years old daughter of
informant has been kidnapped by the petitioner and other co-
accused, who are family members of the petitioner, with intent
to marry her.

4. Learned counsel for the Petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case on account of misconception. He further submits that the alleged victim has clearly stated in her statement under Section 164 Cr.PC that she is giving statement without any pressure and she had gone to Delhi to the petitioner on her own because her parents were not allowing her to talk with him. She has further clearly stated that the petitioner had not enticed her and she had gone to him on her own. He further submits that no offence is made out against the petitioner in view of the statements of the alleged victim.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State and learned counsel for the Informant vehemently oppose the prayer of the Petitioner for bail submitting that the victim is minor and it is a case of kidnapping.

8. Considering the statement of the alleged victim before learned Judicial Magistrate under Section 164 Cr.PC, **this petition is allowed**, directing the petitioner, above-named, to be



enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Choraut P.S. Case No. 15 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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