

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14193 of 2025

Arising Out of PS. Case No.-17 Year-2024 Thana- HASAN BAZAR District- Bhojpur

Nagdiya Ram @ Mukesh Ram S/O Radhe Shyam Ram R/o Vill- Sukhrauli,
P.S.- Hasanbazar, Dist.- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Basanti Devi W/O Mangru Gosai R/o Vill- Sukhrauli, P.S.- Hasanbazar,
Dist.- Bhojpur

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 16-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seek bail in a case instituted for the
offence under Section 87 of B.N.S.

3. As per the prosecution case, the informant has
alleged that on 09.11.2024, her daughter had gone to attend the
call of nature and thereafter, she did not return and on search she
could not be located. The informant further alleged that it was
the petitioner who had kidnapped her daughter with an intention
to marry her.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in



this case which can be ascertained from the statement made by the girl under Section 183 of B.N.S.S wherein she had categorically stated that though the petitioner had taken her along with him however, he did not do any wrong against her. Learned counsel further draws attention of this Court to the fact that the incident is of 09.11.2024 however, after a delay of almost five days the present case was registered. The learned counsel submits that the victim, daughter of the informant had gone along with the petitioner out of her sweet will and no allegation of any kind of sexual assault has been alleged against the petitioner. The learned counsel also points out towards the letter written by the informant to the medical officer where she had denied for the medical examination of the victim. Lastly, it has been submitted that the petitioner has clean antecedent and is in custody since 17.12.2024.

5. Learned APP for the State vehemently opposed the prayer of bail of the petitioner and stated that the petitioner has been alleged to kidnap the daughter of the informant.

6. Considering the aforesaid submissions and taking into account the statement of the victim girl and also the period of custody, let the petitioner, above named, be enlarged on bail, upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) with



two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/concerned court, in connection with Hasan Bazar P.S. Case No. 17 of 2024 subject to the following conditions:

a. One of the bailor of the petitioner shall be his close relative.

b. The petitioner will 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 and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

d. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step of cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made



in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

Siddharth Soni/-

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