

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19901 of 2025

Arising Out of PS. Case No.-247 Year-2024 Thana- SAHPUR District- Bhojpur

Kanha Dubey Son of Vibhu Dubey Resident of Village - Shahpur, P.S. -
Shahpur, Distt.- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dev Kumar Tiwary Son of Late Tarkeshwar Tiwary R/V- Dhamawal, P.S.-
Shahpur, Distt.- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar Singh, Adv.

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 29-04-2025 Heard Mr. Navin Kumar Singh, learned counsel for
the petitioner and Mr. Nityanand, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Shahpur P.S. Case No. 247/ 2024 dated 18.07.2024 registered
for the offence(s) punishable under Section(s) 96 and 3(5) of the
BNS.

3. The main submissions advanced by the petitioner's
counsel are that petitioner is a 21 years old person, though, the
so-called victim has been shown as 14 years of age in the FIR
but in the medical examination, her age has been assessed more
than 18 years, so, at the time of the alleged occurrence, she was
a major girl and she has been recovered and she has recorded
her statement before the I.O. as well as the Judicial Magistrate
which has been discussed in the impugned order of the learned
trial court. It is further submitted that the victim has stated in
her statement that on account of some family dispute, she left



her house on the pretext of attending coaching class and then met with the petitioner and came at Ara railway station and from where they went to NOIDA, Uttar Pradesh where they lived for about two months and she has stated her love affair with the petitioner in her statement which clearly shows that no wrong was committed by the petitioner with the so-called victim. It is further submitted that the petitioner has been languishing in jail since 20.09.2024 and investigation against him has been completed.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. In the facts and circumstances of this case and considering the aforesaid submissions advanced by the petitioner’s counsel coupled with the fact that the victim has been recovered and investigation against the petitioner has been completed, this court is inclined to grant the relief of regular bail to the petitioner. Accordingly, let the petitioner named-above be released on bail in connection with Shahpur P.S. Case No. 247/ 2024 on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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