

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18575 of 2025

Arising Out of PS. Case No.-621 Year-2024 Thana- SITAMARHI District- Sitamarhi

Mukesh Kumar S/O Ramsogarath Chaudhary @ Ramswarth Chaudhary
Resident Of Village - Maulanagar, P.S- Pupri, Distt.- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunil Ray S/O Gajadhar Ray R/O Vill.- Chingitkiya, Ward no.- 16, P.S- Bajpatti, Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 19-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sitamarhi P.S. Case No. 621 of 2024 dated 26.09.2024 registered for the offences punishable under Sections 87, 137(2) read with Section 3(5) of B.N.S. and Section 8 of POCSO Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor daughter of the informant.

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



this case. The charge-sheet has already been submitted against the petitioner. The occurrence took place on 23.09.2024 but the FIR was lodged on 26.09.2024 i.e. the delay of three days and there is no explanation for this delay. As per para-42 of the case diary, the victim denied to be examined before the medical board. Learned counsel has further submitted that there is nothing on record which shows that the victim was forced/seduced to have illicit intercourse with another person. It is further submitted that the victim has not raised any alarm while she was taken to Delhi. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.10.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that as per the school certificate, the victim is a minor girl. It is further submitted that as per the statement of the victim recorded under Section 183 of B.N.S.S. in which she has also supported the prosecution case and has made direct and specific allegation against the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Sitamarhi P.S. Case No. 621 of 2024, with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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