

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22560 of 2025**

Arising Out of PS. Case No.-211 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Dilshad Sai @ Dilshad Sain S/o Bhola Sai @ Bhola Sain Resident of Village -
Tarwara Near Idgah, P.S. - G.B. Nagar, District – Siwan.... .. Petitioner/s
Versus

1. The State of Bihar.
2. Rina Devi W/o Ram Babu Sah R/o vill - Tarwara Kurm tola, P.S.- G.B. Nagar, Distt.- siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-05-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing on

behalf of the State.

2. The accused/petitioner apprehending his arrest in

connection with G.B. Nagar 211 of 2023, registered for the

offences punishable under Sections 363, 366(A), 34 of the Indian

Penal Code.

3.The allegation against the petitioner is to kidnap the

minor daughter of the informant, aged more than 17 years

alongwith other co-accused persons while she went towards

Gandak canal in early morning i.e. about 5:00 AM on 22.05.2023,

as to force her to enter into illicit relation/marriage with another

person.

4. Learned counsel appearing on behalf of the petitioner

submitted that the victim of present case, who is a daughter of the



informant, after recovery recorded her statement under Section 164 of Cr.P.C., where she completely denied allegation of rape or kidnapping *qua* petitioner, rather it appears from her statement that she was with sister-in-law (*Bhabhi*) of petitioner at Delhi, where petitioner was also present.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as after recovery, victim completely denied allegation of sexual abuse and kidnapping *qua* petitioner while recording her statement under Section 164 of Cr.P.C., accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Siwan/concerned Court, where the case is pending in connection with G.B. Nagar 211 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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