

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21673 of 2025

Arising Out of PS. Case No.-650 Year-2024 Thana- NAANPUR District- Sitamarhi

Alok Kumar Son of Ram Pravesh Sah R/o village - Patnuka @ Patnukka @
Patanuka, P.S.- Bokhara (Nanpur), Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-05-2025 Heard the parties.

2.The petitioner is named in the F.I.R. and apprehending his arrest in connection with Nanpur P.S. Case No. 650 of 2024 registered for the offences punishable under Sections 126(2), 96, 3(5), 137(2) of BNS.

3. The allegation against petitioner is to kidnap minor daughter of the informant aged about 16 years along with other co-accused persons and to force her to enter in illicit relationship/ marriage with another person.

4. It is submitted by learned counsel appearing on behalf of the petitioner that as per statement of victim



recorded under Section 183 of BNSS, thrust of allegation appears available against co-accused Vimlesh Kumar Yadav. It is pointed out that the maximum allegation available against this petitioner is to provide phone to victim to talk with main co-accused Vimlesh Kumar Yadav and also to support them being common friend. It is submitted that the victim on 20.02.2025 by retracting her statement recorded under Section 183 of BNSS moved a petition before the court concerned where she categorically stated that she made a wrong statement under pressure of police rather categorically stated that she was not kidnapped by main co-accused Vimlesh Kumar Yadav. It is also submitted that allegation of sexual assault is not available through statement of victim recorded under Section 183 of BNSS as discussed aforesaid. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid factual submission and by



taking note of fact as thrust of allegation qua kidnapping appears available against co-accused Vimlesh Kumar Yadav and not against this petitioner, where allegation of sexual assault is also *prima-facie* not available against petitioner who is a man of clean antecedent, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks of this 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 SDJM, Pupri, Sitamarhi/concerned Court, where the case is pending in connection with Nanpur P.S. Case No. 650 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

Sudha/-

(Chandra Shekhar Jha, J)

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