

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23642 of 2025

Arising Out of PS. Case No.-280 Year-2024 Thana- BHELDI District- Saran

Bilash Kumar Rai @ Bilash Kumar @ Tinku Son of Om Prakash Rai R/o -
Umarpur, P.S - Bheldi, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP
For the informant : Mr. Ashad, Adv.
Mr. Md. Soban Asghar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner, State and
the informant.

2. The petitioner is in custody in connection with
Bheldi P.S. Case No. 280 of 2024 for the offence punishable
under sections 137(2), 96 of the BNS lodged on 30.08.2024 by
the informant, Binod Kumar.

3. Earlier, the Co-ordinate Bench had call for the case
diary as also the statement of the victim girl which are now
available.

4. As per the prosecution story, the informant alleged
that his minor daughter went to attend class but failed to return,
upon inquiry, the name of the accused/family members cropped
up but despite assurance, they failed to bring the girl back, the



FIR.

4. Learned counsel for the petitioner submits that he is a boy, student, they were in a relationship, the girl went on her own though after return, she has narrated that the petitioner took her by force. He has taken this Court to the statement of the victim girl according to which, they were in Gujarat, the petitioner was working in a plant while she used to remain at home. He further submits that it is surprising that when the petitioner was away for the entire day, every day, she failed to approach the police station or anyone else making any allegation. If granted relief, he/family members shall have no contact with the victim girl/their family members and failure to do so, his bail bond be cancelled.

5. Learned APP Ashok Kumar Singh as also, Mr. Soban Asghar, learned counsel for the informant jointly submits that the girl is minor and has given statement against the petitioner.

6. Though the aforesaid facts are on record, the girl has made a statement against the petitioner, considering the fact that he is a boy, 21 years, student, has remained in custody since 20.10.2024, this Court cannot overlook the fact that in Gujarat, as per the statement of the victim girl herself, the boy used to



remain outside for work but she failed to take help of anyone much less the Police, FIR is there, an undertaking has been given that he shall have no contact with the family/victim girl and in case he does so, the Trial Court shall take steps for cancellation of the bail bond. With the aforesaid observation, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Court of Judicial Magistrate, Saran at Chapra in connection with Bheldi P.S. Case No. 280 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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