

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27733 of 2025

Arising Out of PS. Case No.-437 Year-2024 Thana- LAURIA District- West Champaran

Yogesh Kumar Son of Bipin Manjhi Resident of village - Deurwa, P.O.-
Sitapur, P.S.- Lauria, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangita Devi Wife of Thag Sah Resident of village - Sitapur, P.S.- Lauria,
District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sujeet Kumar, Advocate
For the Opposite Party/s	:	Mr. Ahmad Ali, APP
For the Informant	:	None

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 04-08-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary. Despite valid
service of notice, none appears on behalf of the informant.

2. The petitioner seeks bail in connection with Lauria
P.S. Case No. 437 of 2024, instituted for the offences punishable
under Sections 137(2), 96, 115(2), 352, 76 and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner
along with other co-accused person have kidnapped daughter of
the informant. It is further alleged that when the informant went
to the house of the petitioner to complain about the same, then
co-accused persons abused and assaulted the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. There is delay of four days in lodging the FIR. It is next submitted that the petitioner and daughter of the informant are in love and they have got married. As per the medical report of the victim, there is no recent sign of sexual activity and there is no injury on other part of the body. It is further submitted that the victim has not supported the prosecution case and has not levelled anything against the petitioner in her statement recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The petitioner is in custody since 03.01.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing



bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Lauria P.S. Case No. 437 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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