

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31367 of 2025

Arising Out of PS. Case No.-313 Year-2024 Thana- SIKANDRA District- Jamui

Pukari Tanti @ Ajit Kumar, son of Badho Tanti, Village -Taal Saharsa, PS -Sikandra, Dist -Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shivedani Ram, Son of Sahdeo Ram, Village -Taal Saharsa, PS -Sikandra, Dist -Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mala Sinha, Adv.

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 06-08-2025 Heard the parties.

2. The application for grant of bail to the petitioner who is in custody in connection with Sikandra P.S. Case No. 313 of 2024 registered for the offence punishable under Sections 96 of the Bharatiya Nyaya Sanhita, 2023.

3. Allegedly the minor daughter of the informant was forcibly taken away and subjected to sexual exploitation.

4. Learned Advocate appearing on behalf of the petitioner submitted that in fact, the date on which the occurrence took place, the petitioner was also aged about 18 years and both the parties were in love. However, later on, when the victim came to her house, on the pressure made by the



family members, she allegedly named the petitioner of causing sexual assault against her. Referring to the materials collected during the course of investigation as also the allegation leveled in the FIR, learned Advocate for the petitioner submitted that allegedly the victim had remained with the petitioner for 21 days in Surat and it is unbelievable that in the entire period she has never made any hue and cry and tried to escape from the clutches of the petitioner, if she had truly been kidnapped. He further submits that the alleged occurrence took place on 05.10.2024 and the present FIR came to be lodged on 08.10.2024. The victim was also examined by the doctor and no internal or external injury have been found over the private parts. He lastly contended that now the petitioner has been incarcerated since 01.11.2024, the investigation is complete.

5. On the other hand, learned Additional Public Prosecutor for the State and the learned Advocate for the informant vehemently opposes the bail application and submits that on the alleged date of occurrence the petitioner was minor and the medical report also suggests that she was subjected to sexual intercourse coupled with the statement of victim recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita wherein she has made specific allegation against the petitioner



of causing sexual assault.

6. Having considered the submissions set forth and taking note of the statement of the victim and the medical report, this Court is not acceded to the prayer of the petitioner for grant of bail, accordingly the prayer for bail of the petitioner stands rejected. The petitioner shall, however, be at liberty to renew his prayer for bail after recording the deposition of the victim, in trial.

(Harish Kumar, J)

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