

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32427 of 2025

Arising Out of PS. Case No.-79 Year-2025 Thana- PIRO District- Bhojpur

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Ravi Kumar S/o Gajendra Tripathi Resident of village and PS Jagdishpur,
District- Bhojpur, Permanent R/o vill - Bilauti, P.s.- Shahpur, Distt.- Bhojpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharmveer, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Piro P.S. Case No. 79 of 2025, registered 17.03.2025, for the alleged offences under Sections 137, 87, 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, 19 years old daughter of the informant went missing after she had gone to market. Subsequently, the informant came to know about the petitioner who kidnapped his daughter.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The FIR has been lodged after much delay and there is no satisfactory



explanation for the same. The occurrence took place on 13.03.2025 but the FIR has been registered on 17.03.2025. The statement of the victim girl was recorded under Sections 180 and 183 of BNSS wherein she stated that she was in love with one Suraj Kumar and she left her house to meet him but as she did not meet him, the petitioner approached her and took her to his house where his wife and children were there. Subsequently, it is alleged by the victim girl the petitioner tried to do wrongful act with her forcibly, but she raised alarm and was rescued. But from the statement of the victim, it is clear that the petitioner did not know the victim girl and the story of the victim does not appear to be believable. There is also contradictory statements made by the victim in her statements recorded under Section 180 and 183 of BNSS. There is no allegation that the petitioner was involved in kidnapping the victim girl or he has committed rape with her. Subsequently, the matter came to be settled between the parties and a compromise petition has been filed before the learned Additional Chief Judicial Magistrate-VIII, Bhojpur at Ara. The petitioner is having clean antecedent. The petitioner is in custody since 18.03.2025 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for



bail. Learned APP submits that the victim, in her statement record under Section 183 BNSS, has supported the prosecution case and she also stated that the petitioner tried to commit rape with her.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation in the light of statement of the victim girl and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Bhojpur at Ara in connection with Piro P.S. Case No. 79 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail



bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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