

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37974 of 2025

Arising Out of PS. Case No.-34 Year-2025 Thana- DARAUNDA District- Siwan

Prakash Kumar @ Bittu son of Ram Babu Prasad Village-Siwan Bigrah , PS-
Daraundha , District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

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

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

ORAL ORDER

3 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Daraunda P.S. Case No. 34 of 2025 instituted for the offences
under Sections 137(2), 140(3) of the Bharatiya Nyaya Sanhita,
2023.

3. Prosecution case, in short, is that, the informant's
sister left her home but did not return.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case on the basis of statement given by the
victim. No specific overt act is alleged against the petitioner.



Learned counsel further submitted that nothing has been whispered against the petitioner by the victim in her statement recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023. Learned counsel further contended that the specific allegation of establishing physical relationship is against co-accused Vishal Kumar. It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.03.2025 and has one criminal antecedent.

5. Learned A.P.P. 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, there being no whisper against the petitioner in the Section 183 BNSS statement of the victim as also 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Daraunda P.S. Case No. 34 of 2025, 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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