

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36954 of 2025

Arising Out of PS. Case No.-316 Year-2024 Thana- DAGARUA District- Purnia

Md. Saddam S/O Hafiz Resident of Bhamra Ward No-04, Police Station-
Dagarua, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meena Devi, W/O Late Mukesh Bishwas R/O Moh- Kochalli, ward no- 11,
Dagarua, Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Dagarua P.S. Case No. 316 of 2024 lodged on 16.10.2024 under
Sections 137(2), 96 and 3(5) of the Bharatiya Nyaya Sanhita,
2023, pending before the Court of Additional District Judge-VI,
Special Court (POCSO), Purnea.

3. As per the prosecution, F.I.R. has been lodged
against two named accused persons, alleging that they
kidnapped the daughter of the informant. Thereafter, the
informant made every possible effort for her recovery, but no
recovery could be made. Subsequently, the informant came to
know that the accused persons had kidnapped her daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further



submits that the informant's daughter went with the petitioner with her consent, lived with him in Delhi, and subsequently returned. He also submits that the charge in this case has already been framed on 22.04.2025, and no purpose would be served by keeping the petitioner in custody, particularly when cognizance has already been taken. He further submits that the criminal antecedent of the petitioner is clean, and he has been in custody since 25.10.2024.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that the victim has been recovered. On the previous occasion, a statement under Section 183 of the BNSS was recorded, wherein she disclosed that she was taken away forcefully.

6. Upon perusal of the said statement, it transpires that the victim has supported the prosecution case. Accordingly, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

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