

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38625 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- BAUNSI District- Banka

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Ajay Kumar Das @ Ajay Das S/o Rameshwar Das @ Ramesar Das R/o
Village- Negraadih, PS- Mufassil, District- Godda, Jharkhand

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudarshan Prasad Yadav S/o Late Banarsi Prasad Yadav R/o vill - Tetariya,
P.s.- Bounsi, Distt.- Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

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

2. The petitioner seeks bail in a case registered under
Section 96 of BNSS and Section 8 of the POCSO Act.

3. As per the prosecution case, it is alleged by the
informant that his daughter had gone to school; however, she
did not return and when she was searched, she could not be
traced. It is further alleged that the informant later came to know
that one Ajay Das (petitioner) had taken her away with the
intention to marry her.

4. Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in this case and no



such incident as alleged has taken place. It has further been submitted that the victim girl was recovered and her statement was recorded under Section 161 Cr.P.C., wherein she has stated that she had love affair with the petitioner for the last two years and when her parents had selected some other boy, she escaped with the petitioner and got married to him. It has also been submitted that even in her restatement under Section 183 of BNSS, she has reiterated the same version recorded under Section 180 BNSS. It has lastly been submitted that the petitioner has clean antecedent and has been in custody since 28.02.2025.

5. The learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case specially the statement of the victim recorded under Sections 180 and 183 of BNSS, let the petitioner above named 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 Court below/court concerned in connection with Bounsi P.S. Case No. 48 of 2025 subject to the conditions :

a. One of the bailors of the petitioner shall be his



close relative.

b The petitioner shall remain physically present in Court on each date of the trial.

c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

d. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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