

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43493 of 2025

Arising Out of PS. Case No.-17 Year-2025 Thana- NARAINPUR District- Bhojpur

Mukesh Kumar S/O Rabindra Singh @ Ravindra Singh Village- Sundarpur,
P.s.- Sandesh, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Narayanpur P.S. Case No. 17 of 2025 registered for the offences under Sections 137(2), 140(3) and 3(5) of the B.N.S.

3. As per prosecution case, minor daughter of the informant was enticed away by the petitioner and his co-accused brother.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner has not committed any offence. Earlier the same informant lodged Sandesh P.S. Case No. 14 of 2025 against the petitioner with similar allegation.



The case was investigated by the police and was found to be mistake of fact. When the closure report was submitted in Sandesh P.S. Case No. 14 of 2025, the informant concocted the present case and filed the FIR. The victim girl refused to undergo medical examination. Earlier also the statement of the victim girl was recorded and she stated that she eloped with the petitioner on her own. The victim girl is not minor and for this reason no steps have been taken by the prosecution for incorporating the provisions of POCSO Act in the present case. Petitioner is in custody since 12.03.2025 and charge-sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation and also considering the period of custody of the petitioner and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bhojpur at Ara/concerned court in connection with Narayanpur



P.S. Case No. 17 of 2025, subject to the conditions mentioned in
Section 480(3) of the B.N.S.S. and other 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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