

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40058 of 2025

Arising Out of PS. Case No.-259 Year-2025 Thana- BARH District- Patna

Kamlesh Kumar S/o Prithavi Paswan R/o Village- Dhakwahachak, P.S.- Barh,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bharat Bhushan, APP

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

ORAL ORDER

4 09-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Barh
P.S. Case No. 259 of 2025 instituted for the offence under
Sections 137(2) & 96 of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that two *bhagini* of the
informant went missing from his house and it was discovered
that two boys, including the petitioner kept them hidden.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 11-04-2025. Petitioner
bears no criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that victims in their statements recorded under Section 183 of the BNSS, 2023 have stated that they went to the house of their friend and there was neither any enticement nor any force in taking away the girl from the house of their mama. Learned counsel next submits that victims refused for their medical examination. There is delay of two days in lodging the FIR. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no whisper of over act against the petitioner in the statements of the victims and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barh P.S. Case No. 259 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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