

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50977 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- TEYAR District- Bhojpur

Bharath Mali @ Munna Mali @ Bharat Suddu Mali S/O Suddu Mali @
Shankar Mali R/O Village- Prewana, P.S- Saiyad Raja, Distt.- Chandauli
(U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Deepak Kumar S/O Krishna Prasad R/O Village- Kamariyab, P.S- Tiyar,
Distt.- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal, APP
For the Informant	:	Mr. Sushil Kumar Singh, Advocate

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

ORAL ORDER

4 15-10-2025 Heard learned counsel for the petitioner, learned APP

for the State, learned counsel for the informant and perused the

case diary.

2. The petitioner seeks bail in connection with Tiyar
P.S. Case No. 10 of 2025, instituted for the offences punishable
under Sections 137(2) and 87 of the Bharatiya Nyaya Sanhita,
2023.

3. As per prosecution case, the petitioner has lured
away the informant's minor daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case.
Learned counsel for the petitioner also submits that the



allegation levelled against the petitioner is general and omnibus in nature. He further submits that there is delay of sixteen (16) days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. Both the victim girl and the petitioner are distant relatives to each other due to which both of them have fallen in love. It is next submitted that the petitioner has not enticed the victim girl rather she has fled with the petitioner on her own will. It is further submitted that the victim has refused for her medical examination. It is further submitted that the victim girl has been recovered on 11.03.2025 from Mumbai at the residence of the petitioner. The statement of the victim girl has been recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in which she has not stated anything adverse against the petitioner rather has stated that she had fled away with the petitioner with her own consent. The petitioner is in custody since 17.03.2025 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances



of the case, the period of custody undergone by the petitioner as also the statement of the victim girl recorded under Sections 183 of the Bhartiya Nyaya Sanhita, 2023, 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 Tiya P.S. Case No. 10 of 2025.

(Rudra Prakash Mishra, J)

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