

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44762 of 2025**

Arising Out of PS. Case No.-70 Year-2025 Thana- SONBERSHA RAJ District- Saharsa

Sanoj Kumar Son of Biren Mandal @ Veeren Mandal Resident Of Village-
Durgapur Ward No 06 PS -Basnahi District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanjayy Sah son of Bahadur Sah village- Bhaddi, Ps- Paharghat, dist-
Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP
For the Informant	:	None

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

ORAL ORDER

5 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary. None appears on
behalf of the informant despite notice being validly served.

2. The petitioner seeks bail in connection with
Sonbarsa Rai P.S. Case No. 70 of 2025 instituted for the
offences under Sections 137(2), 96 of the Bharatiya Nyaya
Sanhita, 2023 and Sections 4/18 of the POCSO Act.

3. Accusation against the accused person is of
kidnapping the victim girl on the pretext of marriage.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation. Learned counsel for the petitioner submitted that victim in her statement recorded under Section 183 of the BNSS has specifically stated that she left her house on her own sweet will and this petitioner never gave any compulsion or threat to her. He further submitted that nothing has been whispered against the petitioner in Section 183 BNSS statement of the victim rather she has stated that it was co-accused Anish Kumar who threatened her. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.05.2025 and has no criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, there being no material against the petitioner in Section 183 BNSS statement of the victim as also the period of custody undergone by the petitioner, 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 Sonbarsa Rai P.S.



Case No. 70 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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