

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43874 of 2025

Arising Out of PS. Case No.-403 Year-2024 Thana- BIHARIGANJ District- Madhepura

Suraj Kumar Mukhiya @ Suraj Kumar S/o Tuntun Mukhiya R/o Village-
Lakshmipur, Ward No. 13, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Adv.
For the State : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 137(1) and 87 of the BNS,
2023.

3. The allegation in the FIR is that the minor daughter of
the informant aged about 16 years was kidnapped by one Niraj
Kumar Mukhiya and three other co-accused persons.

4. At the very outset, learned counsel for the petitioner
seeks permission to make necessary correction in the prayer
portion.

5. Permission is accorded.

6. Learned counsel for the petitioner submits that on a



perusal of the FIR, it would appear that the name of four persons transpired therein while the petitioner is not named in the FIR. His name has surfaced later in the statement of the victim recorded under Section 183 of the BNSS, 2023. It is next submitted that the thrust of the allegation is against one Niraj Kumar Mukhiya with whom it is stated that the victim was having a love affair and she had left her home out of her own volition. It is further submitted that the FIR was lodged after a delay of four days. The medical examination report of the girl also shows that the age of the victim girl was about 18-20 years. Learned counsel also draws the attention of this Court towards the order dated 20.05.2025 passed in Cr. Misc. No. 32444 of 2025, whereby co-accused Niraj Kumar Mukhiya has been granted bail. It is lastly submitted that the petitioner has been languishing in custody since 24.03.2025 with clean antecedent.

7. Learned APP for the State, however, opposes the prayer for regular bail.

8. Considering the entire facts and circumstance of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Court below where the case is
pending/successor Court in connection with Bihariganj P.S.
Case No. 403 of 2024.

(Soni Shrivastava, J)

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