

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45803 of 2025

Arising Out of PS. Case No.-137 Year-2025 Thana- RIGA District- Sitamarhi

NOOR AALAM @ NOOR ALAM KHAN S/O ABDUL TELAR @
ABDHULLAH KHAN R/o Village- Ram Ratan Bada, Ratanmala Bagaha,
P.S.- Bagaha, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Yatan Singh S/O Late Ramawatar Singh R/V - Ramnagara, Ward no. 14, P.S. - Riga, Dist. - Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shahbaj Alam, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 15-11-2025 Heard Mr. Shahbaj Alam, learned counsel for the petitioner, Mr. Md. Jainulabudin duly assisted by Mr. Shreyas Kumar for the informant.

2. The petitioner is in custody in connection with Riga P.S. Case No. 137 of 2025 for the offence punishable under sections 137(2), 96 and 3(5) of the BNS, 2023 and under Section 8 of POCSO Act lodged on 7.04.2025 by the informant, Ram Yatan Singh.

3. As per the prosecution story, the informant alleged that the victim-daughter went out and thereafter failed to return home. When they were going to register FIR, a call came informing that she is present in the village of the petitioner. They left to the said place and later, came to know that presently, she is in the house of Chhotelal Paswan. They reached there, took the girl and thereafter to the Police Station which followed the FIR.



4. Learned counsel for the petitioner submits that they were in relationship, went home, the parents refused to acknowledge the said relationship, the girl left the place and went to Chhotelal Paswan's house from where she was taken to the Police Station. The petitioner followed her and got arrested at the Police Station itself.

5. Learned counsel for the informant on the other hand opposes the prayer for bail submitting that he took the girl who was a minor.

6. In this case, while issuing notice to the opposite party no. 2, case diary and the statement of the victim girl were called for which is/are on record. The victim girl has supported the stand by the petitioner that she went along with the petitioner to his home, who was not allowed entry by the parents of the petitioner, went outside, was crying and got shelter at Chhotelal Paswan's house.

7. She has not made any allegation against this petitioner, FIR is there, he shall be facing the music, has no criminal antecedent and is in custody since 10.04.2025, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of



like amount each to the satisfaction of learned Additional Sessions Judge-VI cum Special Judge, POCSO Act, Sitamarhi in connection with Riga P.S. Case No. 137 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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