

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45493 of 2025

Arising Out of PS. Case No.-139 Year-2024 Thana- GAUNAHA District- West Champaran

Bittu Ram, Son of Mohan Ram, Resident of Village- Dhumnagar Tola, Police
Station- Nautan, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] Resident of village- Murli Bharhawa,
P.S.- Gaunaha, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvesh Kashyap, Advocate Mr. Deepak Kumar, Advocate
For the Informant	:	Mr. Gautam Raja, Advocate Ms. Kumari Akansha Rai, Advocate
For the State	:	Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-09-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection
with Gaunaha P.S. Case No.139 of 2024 registered for the
offence punishable under Sections 137 (2), 96 and 3(5) of
B.N.S. and Section 8 of the POCSO Act.

3. The case of the prosecution is that the petitioner
along with others kidnapped the minor daughter of the
informant.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has



committed no offence. He has been falsely implicated in this case. During course of investigation, the victim was recovered. She has given her statement under Section 183 of the B.N.S.S. wherein she has stated that she has solemnized marriage with the petitioner with her own will. She has further stated that she was knowing the petitioner for years. She liked him and fled away with him and they solemnized marriage. It has also been submitted that parties have compromised the case. From perusal of the medical report also it is clear that the doctor has not found any injury on the private part. Moreover, the victim has solemnized the marriage with the petitioner and she has gone with the petitioner with her own will. It is a case of elopement. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 14.11.2024.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the application for bail. Learned counsel for the informant has also conceded that the parties have compromised the case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties
of the like amount each to the satisfaction of the learned
Additional District and Sessions Judge 7th -cum-Special Judge,
POCSO, Bettiah, West Champaran in connection with Gaunaha
P.S. Case No. 139 of 2024.

(Ashok Kumar Pandey, J)

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