

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47280 of 2025

Arising Out of PS. Case No.-38 Year-2024 Thana- MANIGACHI District- Darbhanga

Virender Sahni @ Virendra Sahani Son of Latur Sahni @ Lataru Sahni
Village- Jagdishpur, Ps- Nehra, Dist- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunil Kumar Sharma Son Of Late Ram Sevak Sharma Village- Bajitpur, Ps- Manigachi (Bajitpur Op), Dist- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

4 08-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Manigachi (Bajitpur O.P.) P.S. Case No. 38 of 2024 instituted for the offences under Sections 363, 366A, 34 of the Indian Penal Code and later on Section 8 of the POCSO and Section 9 of the Prohibition of Child Marriage Act was added.

3. Prosecution case, in short, is that the petitioner kidnapped the minor daughter of the informant with bad intentions.

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



Learned counsel further submitted that there is a delay of three days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that victim in her statement under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023 has specifically stated that she left her house on her own sweet will and this petitioner never gave any threat or compulsion to her. Victim has further stated that she was in love with the petitioner and has also solemnized marriage with the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.09.2024 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, Section 183 Bharatiya Nagarika Suraksha Sanhita, 2023 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 Manigachi (Bajitpur



O.P.) P.S. Case No. 38 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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