

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50318 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- RAXAUL District- East Champaran

1. DINESH SAH S/O SURENDRA SAH R/O VILL.- JITPUR, P.S.- JITPUR, DISTRICT- BARA NEPAL
2. SANJEET KUMAR YADAV S/O BARHAMDEO PRASAD YADAV R/O VILL.- JHAKHRA WARD NO. 2, P.S.- POKHARIYA, DIST.- BARA, NEPAL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balgovind Sharma, Adv
For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-09-2025 Heard learned counsel appearing on behalf of the

petitioners and learned APP appearing on behalf of the State.

2. The petitioners seeks bail in connection with Raxaul

P.S. Case No. 69 of 2025 registered for the offences under

Sections 137(2), 140(3), 144 and 3(5) of the Bharatiya Nyaya

Sanhita.

3. Both petitioners are named in the F.I.R. and is in

custody since 15.02.2025.

4. As per case of prosecution petitioners while

trafficking two Nepalese girls through Indo-Nepal border were

apprehended.

5. Learned counsel appearing on behalf of the



petitioners submitted that both alleged victims are admittedly found major i.e., 19 years and 31 years old and while recording their statement under Section 183 of the BNSS they categorically stated that they were going along with accused persons to participate in Laxmi Pooja ceremony scheduled to solemnize in Chapra. It is submitted that nothing transpires from their statement, which may suggest that they were kidnapped or allured by petitioners, which may attract prima-facie allegation of trafficking against petitioner. It is also pointed out that similarly situated co-accused persons namely Rajesh Kumar, Jitendra Kumar & Santosh Kumar Ram have already granted bail through Cr. Misc. No. 33940 of 2025 and Cr. Misc. No. 37804 of 2025 dated 04.09.2025 and as such these petitioners also deserves bail on the ground of parity. While concluding the argument it is submitted that, petitioners are men of clean antecedent and moreover, investigation of this case has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as victim while recording their statement under Section 183 of the BNSS completely negate the allegation of



kidnapping or alluring to suggest prima-facie their trafficking, coupled with the fact as both petitioners remains in custody since 15.02.2025, accordingly both above named petitioners, are directed to be released on bail in connection with Raxaul P.S. Case No. 69 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M. East Champaran/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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