

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50474 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- JALE District- Darbhanga

Dharmendra Sah @ Dharmendra Kumar S/o Late Surendra Sah Resident of
Village- Dhadhiya, PS- Kamtaul, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate.

Mr. Shambhu Nath Jha, Advocate.

For the State : Mr. Nawal Kishore Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 11-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Jale P.S. Case No. 91 of 2025 registered for the offence
punishable under Section 87 of the BNS.

3. The allegation is of kidnapping of the wife of the
informant by the petitioner who is brother-in-law (jija) of the
informant.

4. Learned counsel appearing on behalf of the
petitioner submitted that present is not a case of kidnapping
rather in absence of allegation made by the victim herself who is
the wife of the informant, no case is made out under Section 87
of the B.N.S. Petitioner is the brother-in-law (jija) of the
informant.

5. Learned APP for the State has vehemently opposed



the prayer for grant of pre-arrest bail to the petitioner.

6. Having considered the rival submissions made on behalf of the parties, as well as, the allegation and information contained in the F.I.R. that the informant has admitted that after attending the marriage ceremony on 26.04.2025 he had returned back to his home alone after leaving his wife at the place of marriage. It is also admitted by the victim in her statement recorded under Section 183 BNSS that she left along with the petitioner on motorcycle on her own. The petitioner allegedly put spray on her face due to which she became unconscious. Thereafter, the petitioner allegedly used to intoxicate her every day continuously. On 16.05.2025, the petitioner had left her without intoxicating. I find that the victim has admitted that she remained nearly for 15 days with the petitioner, but had never complained about the alleged illegal act committed by the petitioner and after returning back, in her statement recorded under Section 183 BNSS, stated that the petitioner had done wrong by intoxicating continuously for 15 days appears to be tutored and developed one. I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on pre- arrest bail.

7. The petitioner, above named, is directed to be



released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Darbhanga in connection with Jale P.S. Case No. 91 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para- 3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

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