

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52364 of 2025

Arising Out of PS. Case No.-66 Year-2025 Thana- KHARIK District- Bhagalpur

Sourav Kumar, aged about 21 years, Gender-Male, S/o Subodh Das Resident of Village- Choti Nabada, P.S.- Kharik, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kede Kumar, Son of Sunil Mandal Resident of Village - Faridpur, Police Station - Kharik, District - Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 15-10-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 137(2), 96 and 3(5) of the BNS.

3. As per allegation in the FIR, the petitioner lured and taken away the minor sister of the informant with an intention to marry her.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He next submits that there is no independent eye witness of the alleged occurrence and the informant have not disclosed any source of



informant from which he came to know about that the petitioner fled away with her sister. Petitioner is in custody since 07.03.2025 and there is no criminal antecedent as stated in para-3 of the petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of first information report, case diary, and the statement of the victim girl recorded under Section 183 of BNSS, it appears that the victim herself states that she went with the petitioner voluntarily on the date of occurrence and she also admits that the petitioner did not made any kind of sexual assault upon the victim and the victim thereby also refused to undergo medical check up, so considering all aspects of the matter, let the above named petitioner be released on bail 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, Naugachia, Bhagalpur in connection with Kharik P.S. Case No.66 of 2025.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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