

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54734 of 2025

Arising Out of PS. Case No.-68 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Chhoten Sharma S/o Ramawadh Sharma, R/o Village- Masadhi, P.S.-
Durgawati, District- Kaimur At Bhabua. Petitioner/s

Versus

1. The State of Bihar.
2. Sandhay Devi W/o Virendra Sah R/o Vill.- Baghini, PS- Mohania, Distt.-
Kaimur at Bhabua. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is not named in F.I.R. and

apprehending his arrest in connection with Mohania P.S. Case

No. 68 of 2023, registered for the offences punishable under

Sections 363, 366(A)/34 of the Indian Penal Code.

3. The daughter of the informant was kidnapped by

named co-accused, who at the date of occurrence was minor

about 17 years for the purpose of illicit intercourse/marriage.

4. Learned counsel appearing on behalf of the

petitioner submitted that the daughter of the informant was in



love affairs with main co-accused Babloo Dhobi and she left her house on her own sweet will and went with him, whereafter she solemnized marriage with said co-accused Babloo Dhobi, as it transpires from her statement recorded under Section 164 of Cr.P.C. It is submitted that as daughter of the informant and co-accused Babloo Dhobi took shelter for a night in the house of this petitioner, he was implicated with present case. It is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposed the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of fact as the thrust of allegation is available against co-accused Babloo Dhobi not against this petitioner and, moreover, victim after recovery negate allegation of kidnapping and sexual assault against petitioner, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Addl. District & Session Judge-VI cum Special Judge, POCSO Act, Kaimur at Bhabua/concerned Court, where the case is pending in connection with Mohania P.S. Case No. 68 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

veena/-

U		T	
---	--	---	--

