

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57687 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- SINGHWARA District- Darbhanga

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Sujeet Kumar S/o Nand Kishor Rai @ Nand Kishor Ray R/o Village- Kurhar
(Khurhar), P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Miss Y W/o Mr. Z R/o Village- AMahisari, P.S.- Singhwada, District- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Smiti Bharti, Adv
For the Opposite Party/s : Mr.Bhanu Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in connection with
Singhwada P.S Case No. 128 of 2025 registered for the offences
punishable under Sections 96 of the BNS.

3. As per allegation in the FIR, petitioner is alleged to
have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. He next
submits that the victim girl has been recovered and her
statement under Section 183 of the BNSS was recorded but the
victim girl did not disclose the name of the present petitioner.



He further submits that investigation is concluded and the charge-sheet has been submitted. Moreover, petitioner is not named in the FIR. It is also submitted that petitioner is in judicial custody since 20.05.2025 having clean antecedent.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. Learned counsel for the informant vehemently opposes the prayer for bail but on the other hand submits that victim girl has not disclosed the name of the petitioner in her statement recorded under Section 183 of the BNSS neither any offence against the victim girl has been committed by the petitioner.

7. On perusal of the FIR and impugned order dated 15.07.2025, it appears that petitioner is not named in the FIR. The date of birth of the victim girl is 22.07.2007 i.e., she is aged approx 17 years which is apparent from the birth certificate enclosed with the case-diary which shows that the victim girl was minor on the alleged date of occurrence has not disclosed the name of the petitioner in her statement under Section 183 of the BNSS which is apparent from paragraph 4 of the impugned order and paragraph 9 of the bail petition. Considering the aforesaid facts and circumstances of the case and submissions



made on behalf of the learned counsel for the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Protima Parihar, Special Judge (POCSO Act) Darbhanga in connection with Singhwada P.S. Case No. 128 of 2025.

(Ramesh Chand Malviya, J)

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