

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55726 of 2025

Arising Out of PS. Case No.-55 Year-2025 Thana- ASHOK PAPER MILL District-
Darbhanga

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Chhotu Ram son of Sambhu Ram R/o - Sahora Aanadpur, P.S - Ashok Paper
Mill, District - Darbhanga, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rampayari Devi Wife of Dilip Paswan Residen of village- Malhipatti,
Bahadurpur, Ps- Ashok paper Mill, Dist- Darbhanga

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 05-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. A hard copy of the supplementary affidavit is
being filed in the Court and it is being kept on record, however
on-line filing has already been done.

3. The petitioner seeks bail in a case registered for
the offence punishable under Sections 137(2), 96 of the B.N.S.

4. The allegation in the first information report is
that the daughter of the informant was kidnapped by the
petitioner on 02.03.2025 with intention to kill her.

5. Learned counsel for the petitioner submits that
the petitioner and the victim girl were having love affair and as



a matter of fact, F.I.R. was lodged after delay of one month inasmuch as while the girl went missing on 20.03.2025, the F.I.R. was lodged on 18.04.2025. Further, the statement of the victim under Sections 180 and 183 of B.N.S.S would disclose that the victim had solemnized marriage with the petitioner and wanted to continue with her conjugal life, however the learned counsel has brought on record evidence of four witnesses examined during trial including the informant and the victim who have not supported the case of the prosecution and have thus been declared hostile. The petitioner is in custody since 21.04.2025 with no criminal antecedent.

6. Learned APP for the State opposed the grant of bail on the basis of allegations made in the first information report.

7. Taking into consideration the facts and circumstances and also considering that the petitioner is in custody since 21.04.2025 and the witnesses examined during the course of trial including the informant and the victim have not supported the case of the prosecution, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge



(POCSO Act), Darbhanga/concerned Court below in connection with Ashok Paper Mill P.S. Case No. 55 of 2025 subject to condition that:-

(i) *The petitioner shall remain physically present in court on each and every date during trial and would not cause any impediment in leading the trial to come to its logical conclusion and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.*

(Soni Shrivastava, J)

anand/-

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