

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56730 of 2025

Arising Out of PS. Case No.-480 Year-2019 Thana- NAUTAN District- West Champaran

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Vinod Kumar @ Vinod Sahni S/o Late Suraj Sahni R/o Village - Bhirakhiya,
Pipra, P.S - Pipra kothi District - East champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prabhawati Devi W/o Harendra Sahni R/o Village - Jagdishpur Malahi Tola,
P.S - Nautan (Jagdishpur), District - West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Adv

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 13-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Nautan
P.S. Case No. 480 of 2019 registered for the offence under
Sections 363, 366(A) and 34 of the I.P.C. and later on Section 4
of the POCSO Act.

3. The petitioner is named in the F.I.R. and is in custody
since 14.07.2025.

4. The allegation against the petitioner is to kidnap the
minor daughter of informant aged about 17 years for the purpose
of illicit intercourse/marriage.

5. Learned counsel appearing on behalf of the petitioner
submitted that after recovery statement of victim was recorded



under Section 183 of the BNSS, from where it can be gathered safely that the marriage of this petitioner was fixed with daughter of the informant and, therefore, they visited Nepal jointly and as their visit was not in the knowledge of the parents of the victim, present false case was lodged. From the aforesaid statement it nowhere appears that victim was kidnapped and sexually assaulted. It is also submitted that victim married to this petitioner and living happily, having two childrens. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail could not disputed aforesaid factual submission.

7. In view of aforesaid factual submission and by taking note of fact as allegation of rape and kidnapping is not available through statement of victim as recorded under Section 183 of the BNSS, rather victim solemnized marriage with petitioner and living happily having two childrens, coupled with fact that investigation of this case already completed where petitioner remains in custody since 14.07.2025, accordingly petitioner above named, is directed



to be released on bail in connection with Nautan P.S. Case No. 480 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. West Champaran, Bettiah/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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