

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59786 of 2025

Arising Out of PS. Case No.-36 Year-2025 Thana- BHEJA District- Madhubani

Kaushal Saday Son of Indradeo Sadar R/o Village - Daldal, P.S. - Bheja, Dist. - Madhubani.

... .. Petitioner

Versus

1. The State of Bihar.
2. Sunita Devi Wife of Arun Saday, R/o Village - Daldal, P.S. - Bheja, Dist. - Madhubani.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with G.R. No. 56 of 2025, arising out of Bheja P.S. Case No. 36 of 2025, dated 19.03.2025 registered for the offences punishable under Sections 137(2), 96, 352 and 351(2) read with Section 3(5) of the BNS.

3. As per the prosecution case, on 14.03.2025 at about 07:00 PM, the daughter of informant went outside to attend the call of nature, however when she did not return, the informant started searching for her but failed to trace her. The informant received information from the villagers that one



Kaushal Saday (petitioner) with the help of his father and mother kidnapped her daughter and fled away. When the informant asked the father of the petitioner to return her daughter, he abused and assaulted her.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled in the FIR is false and fabricated and the petitioner has not committed any such offence as alleged in the FIR. In fact, there was a love affair between the petitioner and the victim girl and she herself fled away with the petitioner. The victim girl in her statement recorded under Section 183 of the BNSS has not stated anything that she was forced to have illicit relationship with anyone. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 20.03.2025.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as petitioner's period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty



Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-Special Judge, POCSO, Madhubani, in connection with **Bheja P.S. Case No. 36 of 2025**, on further condition:

(i) The petitioner is directed to remain physically present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Shahnawaz/-

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