

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63023 of 2025

Arising Out of PS. Case No.-118 Year-2023 Thana- VALMIKINAGAR District- West
Champaran

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Mithilesh Das @ Mithilesh Kumar S/O Jay Narayan Das Resident of Village-
Brahampur, P.S.- Haradi, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Krishnawati Devi W/O Late Shambhu Kushwaha R/O Village- Near Tina
Shed, P.S- Valmiki Nagar, Distt.- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Pandey

For the Opposite Party/s : Mr.Ajay Kumar Jha

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 16-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Valmiki Nagar P.S. Case
No. 118 of 2023 dated 12.12.2023 registered for the offences
punishable under Sections 366A read with Section 34 of the
I.P.C. Later Sections 363 and 376 of the I.P.C. and Sections 4, 8
of POCSO Act were added.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have kidnapped the minor
daughter of the informant on the pretext of marriage.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has been transpired in this during the course of investigation. The occurrence took place on 27.09.2023 but the FIR was lodged on 12.12.2023 i.e. the delay of 45 days and there is no explanation for this delay. The daughter of the informant in her statement recorded under Section 164 of the Cr.P.C. has stated that the petitioner and the informant's daughter worked in the same shop thereafter the love affair developed between them due to which her mother tortured and abused her then she contacted the petitioner and left her house with her own will and she went to Gujarat with the petitioner and there she solemnized marriage with him. Learned counsel has further submitted that there is nothing on record which shows that the informant's daughter was forced/seduced to have illicit relationship with another person. The petitioner has no concern with alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody in this case since 25.03.2025.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the daughter of the informant is a minor girl.

6. Considering the aforesaid facts and circumstances



of the case as well as the 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) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran at Bettiah in connection with Valmiki Nagar P.S. Case No. 118 of 2023, with a condition:-

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

7. The application stands allowed.

(Chandra Prakash Singh, J)

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