

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62358 of 2025**

Arising Out of PS. Case No.-91 Year-2025 Thana- PANDAUL District- Madhubani

Krishna Bhagat, S/o- Shankar Bhagat, Resident of Village- Buchhaman Lalu  
Nagar, Police Station- Sadar ,District- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate  
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

3     27-11-2025                      Heard learned counsel for the petitioner  
and learned Additional Public Prosecutor for the  
State.

2.The   accused/petitioner seeks bail in  
connection with Pandaul P.S. Case No.91 of 2025  
registered for the offences punishable under  
Sections 126(2), 127(2), 127(3), 118(1), 109,  
137(2), 87 and 64 read with 3(5) of the Bhartiya  
Nyaya Sanhita, 2023 (for short 'B.N.S.').

3. The accused/petitioner is named in the  
FIR and is in custody since 11.05.2025.

4. Allegation against petitioner is to kidnap  
the informant and, thereafter, to establish physical  
relationship on false pretext of marriage.



5. It is submitted by learned counsel appearing for petitioner that as per statement of victim recorded under Section 183 of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS'), she was in live-in relationship for long two years prior to lodging this FIR with this petitioner. It is submitted that no allegation *qua* kidnapping or sexual assault appears raised by victim through her statement. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence. Petitioner claimed clean antecedent.

6. Arguing further, it is submitted that despite custody of six months, even victim could not be examined by learned trial court within the meaning of Section 35(1) of the POCSO Act.

7. Learned APP opposed the prayer for grant of bail to the petitioner.

8. In view of aforesaid factual submissions and by taking note of statement of victim recorded



under Section 183 of the BNSS, where she completely negate the allegation of sexual assault and also kidnapping *qua* petitioner, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 11.05.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Madhubani in connection with Pandaul P.S. Case No.91 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the BNSS.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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