

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64158 of 2025

Arising Out of PS. Case No.-164 Year-2025 Thana- NAUTAN District- West Champaran

Amar Kumar Son of Late Bijali Mukhiya R/o Village - Shivrajpur, Ward No.-
16, P.S.- Nautan, Dist.- West Champaran. Petitioner/s

Versus

1. The State of Bihar
2. Nand Kishore Ram Son of Timal Ram R/o Village - Shivrajpur, Ward No.- 7,
P.S.- Nautan, Dist.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Gyan Prakash, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Abhinav Anand, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 12-12-2025 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 137(2), 96 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and later on Section 64(1) of the B.N.S. and Section 4, 8 and 12 of the POCSO Act was added.

3. The allegation in the first information report is that the daughter of the informant was kidnapped by one Amjad Miyan and Sikandar Mukhiya for the purpose of marriage.

4. It is submitted by learned counsel for the petitioner that the petitioner is not named in the F.I.R. and his name has been transpired in the present case on the basis of the statement of the victim recorded under Section 180 of the B.N.S.S. Even in her statement made under Section 183 of the B.N.S.S. the victim has stated that it was actually co-accused, Suraj Kumar who had asked



the victim to go with the petitioner. However, the petitioner had made physical relation with her but the medical report of the victim does not indicate any recent sexual assault. It is further submitted that the parties to the present case have arrived at some amicable settlement. The charges have already been framed on 04.11.2025. The petitioner has no criminal antecedent and has been languishing in custody since 31.07.2025.

5. Learned APP for the State opposed the bail petition on the ground of allegations made in the F.I.R. as also the materials collected during the course of investigation. However, learned counsel for the informant concedes to the fact that an amicable settlement has been arrived at between the parties.

6. Taking into consideration the facts and circumstances of the case as also the fact that the charges have already been framed and the medical report does not support the prosecution case, the above named petitioner is directed to be enlarged 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 Court below where the case is pending/successor Court in connection with Nautan P.S. Case No.164 of 2025.

(Soni Shrivastava, J)

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