

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64715 of 2025

Arising Out of PS. Case No.-176 Year-2025 Thana- KOTWA District- East Champaran

Surendra Ram S/O Yogi Ram Resident of Village- Kotwa, Ward No.-9, P.S-
Kotwa, Distt.- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Guriya Kumari D/O Naresh Ram R/O Village- Kotwa, Ward No.-9, P.S-
Kotwa, Distt.- East Champaran

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh,APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 20-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Kotwa P.S. Case No. 176 of 2025 registered for the
offences under Sections 126(2), 115(2), 64, 303(2), 3(5) of
the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is named in the First
Information Report and is in custody since 03.06.2025.

4. Allegation against the petitioner is to establish
physical relationship with the informant, who is aged about 18
years, on false pretext of marriage.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that the victim categorically stated in her statement recorded under section 183 of the B.N.S.S., that after leaving her parental home on 21.03.2025, she solemnized marriage with this petitioner in Nepal and after ten days she came back to India and went to her parental home.

6. While concluding argument, it is submitted that petitioner involved in one more criminal case, and moreover, investigation of this case is already concluded, for which charge-sheet has been submitted on 08.08.2025 through Charge-sheet No. 700/2025 and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. In view of aforesaid factual submission and by taking note of the fact as the victim categorically stated while recording her statement under section 183 of the B.N.S.S that after leaving her parental home on 21.03.2025, she solemnized marriage with the petitioner in Nepal, coupled with the fact that charge-sheet submitted on 08.08.2025 through



charge-sheet No. 700/2025 but even not a single prosecution witness could examine by the learned trial court which is in defiance of provision as available under section 346(1) of the B.N.S.S., accordingly, petitioner above-named is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Rape & POCSO Cases), District & Additional Sessions Judge, East Champaran, Motihari/concerned court, in connection with Kotwa P.S. Cas No. 176 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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