

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66565 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- EKMA District- Saran

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Danish Hussain Son of Jan Alam @ Mohammad Mustafa Resident of village -
Parsagarh Naya Tola, P.S.- Ekma, District – Saran Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Ms. Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 01-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 137(2) and 140(3) of the Bharatiya Nyaya Sanhita.

3. The case of the prosecution in short is that the petitioner kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner submits that during course of investigation the victim has given her statement under Section 183 of the BNSS wherein she has stated that she was on talking terms with the petitioner since 10.09.2024. The petitioner is brother of her friend. On 05.11.2024, the petitioner called her outside the house where they had physical relation with consent. It has further been stated by the victim that she was being scolded by her family members. She went to Ahmedabad on 24.02.2025.

5. From perusal of the statement of this victim it is clear



that she was having physical relation with the petitioner prior to the date of occurrence and on the date of occurrence she has stated that she went to Ahmedabad and has not stated anything regarding the role of this petitioner in going to Ahmedabad. During investigation, medical examination of the victim was also conducted where no mark of sexual intercourse was found. Learned counsel for the petitioner has submitted that the petitioner is a man of clean antecedent and is in judicial custody since 15.07.2025.

6. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ekma P.S. Case No. 74 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Saran at Chapra.

(Ashok Kumar Pandey, J)

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