

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66776 of 2025

Arising Out of PS. Case No.-113 Year-2025 Thana- CHANDI District- Bhojpur

Surajbhan Singh, S/o Vinod Singh R/o Village- Shri Rampur, P.S.- Udwant
Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ashok Kumar Singh
For the Opposite Party/s :	Mr. Narsingh Tanti- A.P.P.
	Mr. Ashok Kumar @ Ashok Karn
	Mr. Surj Bansh Roy
	Ms. Dimpal Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-10-2025 1. Heard learned counsel for the petitioner, the learned counsel appearing on behalf of the informant and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 87, 137(2) of the B.N.S.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 04.07.2025, he had gone to participate in the cremation of his relative and when he came back, he came to know that his daughter who was alone in the house was kidnapped by the petitioner. Further, on 06.07.2025, he received



a message from mobile no.7520979982 that his daughter was abducted by the petitioner and he is trying to sell her.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that the same does not inspire confidence. It is next submitted that the date of occurrence is 04.07.2025 and the informant in the FIR alleges that on 06.07.2025, he received a call from mobile number and the caller informed that his daughter was abducted by the petitioner and he is trying to sell her, but still the informant chose not to institute an FIR instantly on 06.07.2025 after receiving the said information from the caller, which casts an aspersion on the case of the prosecution. It is further submitted that the FIR came to be instituted on 11.07.2025 and the same was sent to the Court on 14.07.2025, as such, there was an inordinate delay in instituting the FIR and thereafter also the FIR was sent to the Court after a delay of three days which casts an aspersion on the case of the prosecution. It is further submitted that the victim came back on 13.11.2025 and her statement was recorded under Section 183 BNSS wherein she disclosed as recorded in the order impugned that she was in contact with the petitioner for the last 2-3 years and petitioner had given her a mobile on which she used to talk



with him.

5. At this stage, the learned counsel appearing on behalf of the informant submits that the victim in her statement recorded under Section 183 BNSS also disclosed that she was confined by the petitioner in a house at Ara where he established physical relation against her will. The said submission of the learned counsel for the informant is rebutted by the learned counsel for the petitioner and it is submitted that the victim does not disclose that where she was confined in Ara for nearly eight days. It is next submitted that victim was never abducted rather the relationship in between petitioner and the victim had soured and the marriage of the petitioner is fixed for November, 2025, as such, the instant false case came to be instituted. It is further submitted that even medical report does not corroborate rape. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Learned A.P.P. also opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail



on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Arrah in connection with Chandi P. S. Case No.113 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

9. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

10. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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