

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69691 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- KODHOBARI District- Kishanganj

Alok Kumar @ Alok Kumar Basak S/O Debi Lal @ Devendra Kumar Basak
Resident of village- Kalpir Patharghatti, P.S.- Kodhobari, District-
Kishanganj. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-10-2025 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 96, 115 (2), 352, 3 (5) of the BNS.

3. The case of the prosecution is that the petitioner has allegedly kidnapped the minor daughter of the informant who is stated to be about 17 years of age.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that during the course of investigation, victim has given her statement recorded under Section 183 of the BNSS. From a perusal of the order of the learned trial Court, it is clear that the learned trial Court has recorded that "statement of the victim



was recorded under section 183 of the BNS in which she has stated that she has gone with Alok on her sweet will'. It is further submitted that as per the medical examination report, the age of the victim was assessed to be 18 years.

5. Learned counsel appearing on behalf of the informant vehemently opposes the prayer for bail and has submitted that the victim was minor at the time of the occurrence and according to the matriculation certificate, her age is below 18 years.

6. Considering the aforesaid facts and circumstances of the case as also the statement of the victim recorded under Section 183 of the BNSS wherein she has clearly stated that she had gone with the petitioner of her own free will, the present case appears to be one, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kodhabari P.S. Case No. 40 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 District and Sessions Judge-1st, Kishanganj.

(Ashok Kumar Pandey, J)

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