

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70788 of 2025

Arising Out of PS. Case No.-96 Year-2024 Thana- SANICHARI District- West Champaran

Uttam Kumar S/o Lalu Ram R/o vill - Patkhauli, P.s.- Shanichari, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabita Devi W/o Ramsagar Ram R/o Basopatti, P.O.- Basopatti, P.S.- Shanichari, Dist.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Raj, Adv
For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 10-12-2025 Heard the parties.

2. The petitioner seeks bail in connection with Shanichari P.S. Case No. 96 of 2024 registered for the offence under Sections 137(2), 87, 352, 351(2) and 3(5) of the B.N.S.

3. The petitioner is named in the F.I.R. and is in custody since 19.05.2025.

4. The allegation against the petitioner is to kidnap the minor daughter of informant aged about 13 years. Allegation of sexual assault is also available against this petitioner.

5. Learned counsel appearing on behalf of the



petitioner submitted that during the course of investigation while recording statement of victim under Section 183 of the BNSS, she categorically stated that being school friends she accompanied petitioner and visited Nepal together and when they came to know about the present case they returned to their parents. It is submitted that this fact also deposed by parents and victim during the trial which suggest that implication was raised out of confusion. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. In view of aforesaid factual submission and by taking note of fact as victim while recording her statement under Section 183 of the BNSS prima-facie negates the allegation of kidnapping and sexual assault against petitioner, which she also affirmed during the trial, coupled with fact as petitioner remains in custody since 19.05.2025, accordingly petitioner above named, is directed to be released on bail in



connection with Shanichari P.S. Case No. 96 of 2024 on
furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)
with two sureties of the like amount each to the satisfaction of
learned Special Judge, POCSO cum D.A.S.J-VI, West
Champaran, Bettiah/concerned court, subject to the
conditions as mentioned under Section 437(3) of the Cr.P.C/
Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

