

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78183 of 2024

Arising Out of PS. Case No.-140 Year-2024 Thana- NAANPUR District- Sitamarhi

Rakesh Sah S/O Rambali Sah R/O Village- Manik Chowk, Ward No. 2, P.S-
Gadha, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Anju Devi W/O Lalu Ram R/O Village- Hanuman Nagar, Ward No.-4, P.S-
Nanpur, Dist.- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 13-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. None has appeared on behalf of the opposite party
no.2, despite issuance of notice.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 363, 366A
of the Indian Penal Code and Section 8 of the POCSO Act.

4. The allegation in the First Information Report is
that the daughter of the informant went missing and it came to
the knowledge of the informant that one Vijay Kumar and Ajay
Kumar took her away on a Bolero vehicle and the petitioner,
namely, Rakesh Sah, aided in the same.



5. Learned counsel for the petitioner submits, at the outset, that it would be apparent from the First Information Report itself that for an occurrence which took place on 16.03.2024, the present F.I.R. came to be lodged after ten days i.e. on 26.03.2024. Further, there is no eye-witness of the occurrence and so far as the role of the petitioner is concerned, it is confined to aiding the other two co-accused persons, who had allegedly taken away the daughter of the informant. As a matter of fact, the victim was in a love relationship with co-accused, Vijay Kumar and she had gone along with him with her consent and has also regularly been uploading photographs of marriage between them on social media.

6. Learned APP for the State opposed the prayer for bail.

7. Taking into consideration the facts and circumstances of the case including the fact that no specific role has been attributed to the petitioner, coupled with the delay in filing of the present F.I.R. and that the petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Nanpur P.S. Case No.140 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

anand/-

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