

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77958 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- PAROO District- Muzaffarpur

Vikram Kumar Sahni @ Vikram Kumar Sahani S/O Shatrudhan Sahni @
Shatrudhan Sahani R/O Vill- Basaitha, P.S.- Saraiya, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Paru P.S. Case No. 267 of 2024, registered for the alleged offences under Sections 137(2), 87, 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, niece of the informant went missing and the informant came to know about petitioner who with the help of two unknown persons kidnapped his niece.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is aged about 20 years and student of BA Part-II whereas the age of the victim is stated to be 21 years. The statement of the victim girl recorded under Section 183 of



BNSS is not believable on the point that she was forcibly taken away by the petitioner. In fact, there was love affair between the petitioner and the victim girl, who went with the petitioner out of her sweet will but due to pressure of his family, she recorded her false statement under Section 183 of BNSS. However, the victim girl did not allege any misconduct on part of the petitioner and no motive has been given in that statement under Section 183 of BNSS. The victim girl also refused to undergo medical examination. The petitioner *suo motu* appeared before police with his brother, which shows his bonafide. The petitioner is in custody since 18.08.2024 and charge-sheet has been submitted. The petitioner is having clean antecedent.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the age of the victim girl and also considering the improbable nature of accusation and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Muzaffarpur (West) in connection with Paru P.S. Case No. 267 of 2024, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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