

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75284 of 2025

Arising Out of PS. Case No.-211 Year-2025 Thana- CHAINPUR District- Kaimur (Bhabua)

Sonu Hussain S/o Wase Hussain @ Saiyed Washe Hussain Resident of village
- Ward no.5, Chainpur P.S - Chainpur, District - Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mano Bibi W/o Nasim Kuraishi R/o Village - Chainur, P.S - Chainpur,
District - Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Kumari Anupam, Adv.
For the Opposite Party/s	:	Mr. APP
For the informant	:	Mr. Rajani Kant Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-11-2025 Heard Ms. Kumari Anupam, learned Counsel for the

petitioner and Mr. Rajani Kant Pandey for the informant beside

learned APP.

2. The petitioner apprehends his arrest in connection
with Chainpur P.S. Case No. 211 of 2025 for the offence
registered under sections 96, 3(5) of BNS lodged on 26.04.2025
by the informant, Mano Bibi.

3. As per the prosecution story, the informant alleged
that in connection with Chainpur P.S. Case No. 109 of 2025,
pursuant to the Court's order, she was given custody of the
victim girl but the accused persons threatened them of dire
consequences. On 24.04.2025, she again went missing and as



she went out of the house, found Sonu Hussain (petitioner herein), Choten Khant and one friend standing there armed variously, threatening them to return or face consequences. The lady found chit of papers signed by the girl, attaching them with the petition, the present FIR was filed.

4. Learned Counsel for the petitioner submits that both the petitioner and the victim girl were in a relationship and subsequently consummated marriage which followed her pregnancy. She has taken this Court to the learned Sessions Judge order to show that under Section 183 BNSS, she clearly stated that she has undergone '*Nikaah*' with the petitioner. The last submission is that so far as the criminal antecedent part is concerned, Chainpur P.S. Case No. 109 of 2025 has been lodged by the same informant's family against the accused person in which he is on bail.

5. Mr. Rajani Kant Pandey, learned counsel for the informant submits that the victim is a minor girl and twice they took her away. The last handwriting of her which is part of the FIR clearly show that she was under some compulsion.

6. Learned counsel for the petitioner submits the same be read otherwise inasmuch as she was fed up with the attitude of the family and that's why the said apology letter is there



which clearly shows that she left the place on her own and whenever required, she will be produced before the Court.

7. Though allegation is there, twice FIR has been lodged against the petitioner, the development that has taken place which has been recorded in earlier paragraphs as also the statement of her which is part of the learned Sessions Judge observation, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Addl. District & Sessions Judge VI, cum Special Judge POCSO, Kaimur Bhabua in connection with Chainpur P.S. Case No. 211 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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