

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 82585 of 2025

Arising Out of PS. Case No.-106 Year-2025 Thana- BAUNSI District- Araria

Ashish Kumar S/O Ram Pukar Mahto R/O Vill- Rampur Tilak, Ward No .- 06,
P.S- Jankinagar, District- Purnea

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-12-2025 Heard Mr. Rabindra Kumar Priyadarshi, learned
counsel for the petitioner and Mr. M.K. Khare, learned APP.

2. The petitioner is in custody in connection with
Baunsi P.S. Case No. 106 of 2025 for the offence punishable
under Sections 96 and 3(5) of the BNS lodged on 14.06.2025 by
the informant, Ganesh Mahto.

3. As per the prosecution story, the informant alleged
that his minor daughter was taken away by the petitioner for the
purpose of marriage and the entire family connived in that. This
led to the FIR.

4. Learned counsel for the petitioner submits that the
girl subsequently returned and to the best of his information, she
made statement before the Police that they wanted to marry each
other but the petitioner declined at that time. Further, she has not



alleged any wrong doing/sexual assault against the petitioner. He has remained in custody since 23.06.2025, is only 21 years of age, a student, charge-sheet has been submitted, charges framed and if given a chance, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that the girl was found to be minor.

6. Taking into account the submission of the parties as also the aforesaid submission that has been put forward, the petitioner is young, is in custody since 23.06.2025 and he has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. However, if the contention regarding the statement of the victim, as submitted by learned counsel for the petitioner, before the Police founds to be incorrect, the order shall become infructuous.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned District & Additional Sessions Judge – IV, Araria in connection with Baunsi P.S. Case No. 106 of 2025 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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