

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86505 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- VALMIKINAGAR District- West
Champaran

Santosh Sah Son of Late Janki Sah Resident of Village - Bhairoganj Bazar,
P.S. - Bhairoganj, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None
For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 05-06-2025 Upon repeated call, no one appears on behalf of the
petitioner, however, learned APP for the State is present.

2. The petitioner seeks regular bail in connection with
Valmikinagar P.S. Case No. 75 of 2024 lodged on 06.08.2024
under Sections 139, 96, 140(4) of the BNS, 2023.

3. As per the prosecution, F.I.R. has been lodged
against 2 named accused persons alleging that they kidnapped
the minor daughter of the informant.

4. It has been stated in the bail application that the
petitioner is innocent and has committed no offence. It has been
further stated that the criminal antecedent of the petitioner is
clean and he has been in custody since 07.08.2024. It has been
pleaded in the bail application that the date of occurrence is



03.08.2024, at about 08:00 AM but the present case was lodged on 06.08.2024 without any explanation that as to why the delay has been caused in lodging the FIR. It has been further pleaded that victim has been recovered and she has narrated her statement before the Police under Section 180 of the BNSS and subsequently stated before the Magistrate under Section 180(3) of the BNSS by which it becomes crystal clear that it is not the case of kidnapping and in greed of money, she stayed in the Shivani Guest House for about 3 days. It has also been mentioned that the victim was also examined medically and from the medical report, it transpires that there is no recent sign of sexual assault. It has also been pleaded that the petitioner has falsely been implicated in this case, at the instance of Rita Devi, who runs the Shivani Guest House.

5. Learned APP for the State opposes the prayer for bail and submits that the Trial Court, at the time of passing the bail order, had considered the case diary in which it has come that the age of victim is minor. Subsequently, the Court has also acknowledged that the victim, in her statement under Section 180 and Section 180(3) of the BNSS, has disclosed that the petitioner had developed physical relationship with her forcefully for 2-3 days in the guest house.



6. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

Siddharth
Sagar/-

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