

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86892 of 2024

Arising Out of PS. Case No.-519 Year-2024 Thana- DEHRI TOWN District- Rohtas

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Avinash Kumar S/o Wakil Singh @ Wakil Yadav, R/o Vill - Shankarpur, P.S - Indrapuri, Dist- Rohtas.

... .. Petitioner

Versus

1. The State of Bihar.
2. Ms. X W/o- Ravindra Kumar Singh, R/o Vill- Shankarpur, PS- Indrapuri, PO- Bariha, Dist- Rohtas.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Ms. Dimpal Kumari, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

5 27-05-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Dehri (Town) P.S. Case No. 519 of 2024 dated 24.07.2024 instituted for the offences punishable under Sections 137(2) and 96 of the B.N.S., 2023.

3. As per prosecution story, on 24.07.2024, when the informant did not find her daughter on her bed, she tried to trace her out everywhere but could not find her. Informant suspects that her neighbour Avinash Kumar along with other co-accused persons has kidnapped her minor daughter.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this



case merely on the basis of suspicion. The allegation levelled in the FIR is false and fabricated and petitioner has not committed any such offence as alleged in the FIR. The victim girl has been recovered and her statement was recorded under Section 183 of the BNSS / Section 164 of the Cr.P.C. before the Judicial Magistrate, in which she has firmly stated that she was in love with the petitioner and she left her house out of her own sweet will without informing her mother and went to Pune with the petitioner. Further, she has stated that she has solemnized marriage with the petitioner. The victim girl in her entire statement recorded under Section 164 of the Cr.P.C. / Section 183 of the BNSS has not given any adverse statement against the petitioner. Petitioner claims clean antecedent as stated in paragraph no. 3 of the bail petition. Petitioner is in custody since 21.09.2024. He lastly submits that after completion of investigation, chargesheet has been submitted against the petitioner on 30.09.2024.

5. Learned counsel for the informant as well as the learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Having heard the learned counsel for the parties and considering the facts and circumstances of the case as well



as petitioner’s period under custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed as yet**. Accordingly, let the petitioner, above-named, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Rohtas, in connection with **Dehri (Town) P.S. Case No. 519 of 2024**, on further conditions:

- (i) One of the bailors should be close relative of the petitioner.
- (ii) Petitioner shall cooperate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

Shahnawaz/-

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