

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88687 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- BARARI District- Bhagalpur

Karan Jha @ Babul S/o- Chandan Kumar @ Chandan Kumar Jha Village-
Bhramarpur, Paschim Tola, P.S- Bihpur, District- Bhagalpur

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. X, R/o- Jibu Jha Lane Chhoti Khanjarpur Ps- Barari Dist- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP
For the Informant : Mr. Harsh Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 11-04-2025 Heard Mr. Ajay Kumar Jha, learned counsel for the

petitioner, Mrs. Renu Kumari, learned APP for the State and

Mr. Harsh Kumar Singh, learned counsel for the informant.

Perused the case diary.

2. The petitioner seeks bail in connection with Barari
P.S. Case No. 64 of 2024 giving rise to POCSO Case No. 219 of
2024 instituted for the offences under Sections 137(2), 96, 352,
3(5) of the BNS.

3. Accusation against the petitioner is of kidnapping
the victim girl on the pretext of marriage.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submitted that victim in her Statement recorded under Section 83 of the BNSS. has specifically stated that she left her house on her own sweet will and this petitioner never gave any compulsion or threat to her. He further submitted that victim has specifically stated that she had solemnized the marriage with the petitioner. Learned counsel further submitted that victim has refused to undergo medical examination. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no material against the petitioner in Section 164 Cr.P.C. statement of the victim as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Court below/concerned Court in connection with Barari P.S. Case



No. 64 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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