

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89748 of 2024

Arising out of PS. Case No.-324 Year-2024 Thana- RAJNAGAR District- Madhubani

Suraj Kumar @ Suraj Kumar Das, S/o- Ram Bilash Das @ Chhotak Das @ Chhote Das R/o village - Balha, Purohit tol , ward no. 12 , P.s.- Rajnagar , District - Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Prakash Das S/o- Agnu Das R/o village - Balha , Purohit tol , ward no. 12 , P.s.- Rajnagar , District - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate
		Mr. Ravi Prakash, Advocate
		Mr. Suraj Deo Singh, Advocate
For the Opposite Party/s:		Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 30-04-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the state.

2. The petitioner seeks bail in connection with Rajnaga P.S. Case No. 324 of 2024 instituted for the offences under Sections 126(2), 115(2), 137(2), 87, 352, 351(2) and 3(5) of BNSS, 2023.

3. The prosecution case is to the effect that the daughter of the informant who is said to have been abused by the petitioner by using vulgar language and on confrontation he has assured that no such incident would re-occur. The informant has further alleged that the petitioner kidnapped the daughter of the



informant and the other co-accused persons were contacted and they abused and threatened to make a video of the victim girl viral.

4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and has falsely been implicated in the present case and the victim girl had gone with the petitioner on her own sweet-will and they had solemnized marriage. It is further submitted by learned counsel for the petitioner that the alleged occurrence is stated to be around six months ago from the date the said FIR was lodged and it shows that the petitioner has falsely been implicated in the present case. It is also submitted by learned counsel for the petitioner that the victim in her statement recorded under Section 180 BNSS has stated that she had gone with the petitioner on her own sweet-will and they have solemnized marriage in a temple. It is next submitted by learned counsel for the petitioner that the victim in her statement recorded under Section 183 BNSS has reiterated her earlier statement made before the police. It is lastly submitted that the petitioner has clean antecedent and is in custody since 22.09.2024.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the prayer



for bail of the petitioner and have submitted that the victim girl is minor and the petitioner has induced the said daughter of the informant and allured into false promise and subsequently married.

6. Considering the aforesaid submissions of respective counsels and taking into account the fact that the victim girl has not stated anything against the petitioner of sexual abuse or assault on any forceful marriage in both her statements recorded under Sections 180 and 183 BNSS and also that the petitioner is in custody since 22.09.2024, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VIII, Madhubani in connection with Rajnagar P.S. Case No. 324 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.



(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(Sourendra Pandey, J)

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