

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.508 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- MEHANDIGANJ District- Patna

Sanjay Kumar S/o- Fekan Das @ Fekan Prasad Village- Raghapur, P.S.-
Raghapur, District- Vaishali, P/A- Maheshpur Ps- Mehandiganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-04-2025 Heard Mr. Harish Kumar, learned counsel for the

petitioner and Mr. Abhay Kumar Roy, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mehandiganj P.S. Case No. 104 of 2024, F.I.R. dated 18.07.2024 for the offences punishable under Sections 137, 96 of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant alleged that the petitioner kidnapped the daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that victim was recovered and her statement was recorded under Section



164 of Cr.P.C/183 of B.N.S.S in which she has not supported the case of the prosecution and apart from that she had not alleged any allegation of sexual assault against the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and the victim has not supported the case of the prosecution in her statement recorded under Section 164 of Cr.P.C/183 of B.N.S.S, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 J.M. 1st Class, Patna City in connection with Mehandiganj P.S. Case No. 104 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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