

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42797 of 2026

Arising Out of PS. Case No.-141 Year-2025 Thana- BHAIKAVSHTHAN District-
Madhubani

Prakash Mukhiya S/o Ganesh Mukhiya Resident of Village- Bharaul, PS-
Bhairvasthan, Distt.- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ramchandra Jha Raman, Advocate
For the Opposite Party : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-07-2026 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and
apprehending his arrest in connection with Bhairvasthan P.S.
Case No.141 of 2025 registered under Sections 137(2), 140
(3) of the Bharatiya Nyaya Sanhita, 2023 (in short ('BNS')).

3. Allegation against the petitioner is to kidnap
minor daughter of informant aged about 16 years for the
purpose of illicit intercourse/ marriage with another person.

4. It is submitted by learned counsel appearing for
the petitioner that during the course of investigation, after
the recovery of daughter of informant, her statement under



Section 180 of BNSS was recorded, where she categorically stated that she was in love with this petitioner and out of love she left her parental home and also stated that she want to live with this petitioner as a wife, negating the allegation of kidnapping and sexual assault. It is also submitted that the FIR was lodged with a delay of three days without supplying any reasons and, moreover, petitioner is a man of clean antecedent.

5. Learned APP has opposed the prayer of bail.

6. In view of the aforesaid facts and submission and by taking note of fact as victim herself negates the allegation of kidnapping and sexual assault saying that she was in love with petitioner as discussed aforesaid, accordingly, the petitioner, above-named, in the event of his arrest or surrender in the court below within a period of four weeks, 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 A.C.J.M. 1st Jhanjharpur, Madhubani in connection with Bhairvasthan P.S. Case No.141 of 2025, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'CrPC')/under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS').

(Chandra Shekhar Jha, J.)

Aniket/-

U		T	
---	--	---	--

