

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74423 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- POTHIIYA District- Kishanganj

Sunil Ray S/O Faudriya Ray Resident of Village- Manikpur, P.S- Tinpahar,
District- Sahebganj (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-01-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.206 of 2025 (arising out of Pothia P.S. Case no.104 of 2025) registered under sections 137(2) and 96 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the informant states that his minor daughter who had gone to her aunt's house did not return and was not to be found inspite of search. Subsequently a mobile number was discovered in his daughter's room. On calling the said number, the informant states that the person on the other side disconnected the telephone.

4. Learned counsel for the petitioner submits that the petitioner was falsely implicated in the case in course of investigation. The daughter of the informant is a major and had



gone with the petitioner out of her own free will. She returned and her statement was recorded under section 183 B.N.S.S. wherein she has not supported the prosecution case. It has also come in paragraph no.89 of the case diary that she has refused to undergo medical examination and has categorically stated that the petitioner has not misbehaved with her. The petitioner is in custody since 15.6.2025 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the material that has transpired in course of investigation and specially the contents of the statement recorded in paragraph no.89 of the case diary wherein the victim refused to undergo medical examination, her statement recorded under section 183 B.N.S.S., the petitioner having remained in custody for 7 months since 15.6.2025, the petitioner not having any criminal antecedent and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.206 of 2025 (arising out of Pothia P.S. Case no.104 of 2025) 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 District and
Additional Sessions Judge 1st, Kishanganj.

(Partha Sarthy, J)

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