IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78678 of 2026

CNR No. BRHC011113772026

Arising Out of PS. Case No.-377 Year-2026 Thana- DEEPNAGAR District- Nalanda

==========

Tuntun Chaudhary, S/O Munsi Chaudhary, R/V- Sipah, Rana Bigha, PS- Deepnagar, District-Nalanda, Bihar-803101

... ... Petitioner/s

Versus

1. The State of Bihar
2. X, W/O Subrat Raj, R/V- Sipah, Rana Bigha, PS- Deepnagar, Distt-Nalanda, Bihar-803101
3. Y, W/O Santu Kumar, R/V- Sipah, Rana Bigha, PS- Deepnagar,Distt-Nalanda, Bihar-803101

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr.Munish Kumar, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

==========

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 05-11-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. In the present case, the petitioner seeks bail in connection with Deepnagar P.S. Case No. 377 of 2026, registered for the offences under Sections 137(2), 140(4) & 3(5) of BNS.

3. As per the prosecution case, the minor daughter of the informant went to attend her school, but she did not return and the informant came to know about co-accused Nishant Kumar, who with the help of other co-accused persons enticed away her daughter as well as daughter of neighbour of the

WEB COPY

informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Due to personal grudge and in order to take revenge, the informant has named the petitioner in this case. The true fact of the case is that the daughter of the informant as well as the daughter of her neighbour both were in friendship with the son of the petitioner and one Banty Kumar and they left their houses on their own and went with these two persons to Delhi and, thereafter, Chennai and Surat. On coming to know about the registration of the case, they returned and recorded their statements. In their statements, they have not stated anything about the involvement of the present petitioner. Both of them refused to undergo medical examination. One of the girls has already solemnized marriage. The police investigated the matter and submitted the charge sheet under Sections 137(2), 140(4) and 3(5) of BNS and no provision of POCSO Act was invoked. Learned counsel reiterates that the petitioner has been dragged in this case merely for the reason that the daughter of the informant ran away with the minor son of the petitioner. The petitioner is in custody since 07.07.2026 and is having clean antecedent.

WEB COPY

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the vague nature of allegation against the petitioner without any substantive material and further considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class-VII/concerned court, in connection with Deepnagar P.S. Case No. 377 of 2026, subject to the condition laid down under Section 480(3) of the BNSS and other 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 three consecutive dates or in violation of the

WEB COPY

terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Pallavi/-

U		T	

WEB COPY