

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79359 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- Nawalpur District- West Champaran

Ajay Kumar, Son of Late Chhotelal Sah R/o Village - Bansgaon, P.S. -
Bhairoganj, District - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Kamlesh Sah, R/o Village - Nimuiya ward no. 6, P.S. - Nawalpur,
District - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner apprehend his arrest in a case registered for the offence under Sections 96, 137(2), 65(1) of the Bhartiya Nyaya Sanhita and Section 4 of POCSO Act.

3. Informant namely Lakshmina Devi alleges that her daughter was lured to run away by the petitioner on the pretext of marriage. Later, informant received a call from someone asking her to reach Bhairoganj thana as her daughter was there but there was no trace of her daughter when informant reached thana.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. As a matter of fact, there was lover affair between the petitioner and the victim. The victim on her own volition went with the petitioner and solemnized marriage with him. The victim in her statement



recorded under Sections 180 and 183 of the BNSS has denied the factum of kidnapping. She stated that she herself went along with the petitioner to Muzaffarpur and resided in a rented house and solemnized marriage with him in Chandisthan Mandir.

5. Learned A.P.P. for the State opposed the bail petition of the petitioner.

6. Considering the statement of the victim recorded under Sections 180 and 183 of the BNSS and other facts and circumstances of the case, the prayer for anticipatory bail of petitioner is allowed. Let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M., West Champaran, Bettiah, in connection with Nawalpur P.S. Case No. 81 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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