

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79835 of 2025

Arising Out of PS. Case No.-196 Year-2025 Thana- PALIGANJ District- Patna

Sujit Rajvanshi S/o Munshi Rajvanshi R/o Village- Dariyapur Prem Lopit Tola, P.S- Paliganj, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Ramu Rajvanshi R/o Village- Dariyapur Prem Lopit Tola, P.S- Paliganj, Dist- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-01-2026 Heard Mr.Raja Ram Mishra, learned counsel for the petitioner and Mr.Bhanu Pratap Singh, learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since 02.05.2025 in connection with Paliganj P.S. Case No. 196 of 2025, F.I.R. dated 30.04.2025 registered for the offence punishable under Sections 329(4),137(2),140(3) and 3(5) of BNS,2023 and Section 8 and 12 of POCSO Act.

3. The prosecution case, in short, is that on 28.04.2025, accused persons including the petitioner are alleged to have kidnapped the minor daughter (the victim) aged about 13 years of the informant.



4. Learned counsel appearing for the petitioner submits that despite valid service of notice upon opposite party No.2, no one appears on behalf of opposite party No.2. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. As per allegation in the FIR that the date of occurrence as alleged in the FIR is 28.04.2025 and the victim returned to her home on 29.04.2025 but the present FIR has been instituted on 30.04.2025 after delay of two days without giving any explanation of delay. The statement of the victim was recorded under Section 183 of BNSS, 2023 in which she has not supported the case of the prosecution and apart from that, the victim has also refused for her medical examination which was recorded in paragraph-27 of the case diary. The police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 02.05.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail



petition.

6. Considering the aforesaid facts, let the petitioner, above named, 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 learned Additional Sessions Judge-VII-cum- Special Court (POCSO), Patna in connection with Paliganj P.S. Case No. 196 of 2025, with the 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/her absence on two consecutive dates without sufficient reason, his/her 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 bonds 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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