

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86301 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- GAMAHARIYA District- Madhepura

Bimlesh Kumar @ Vimlesh Kumar @ Vimalesh Kumar S/o Sudish Yadav @
Sudist Yadav @ Sudist Prasad Yadav Resident of Village - Jogwani
Jibachhpur, Ward no. 15, P.S. - Gamhariya, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/o Village - Tok Sihpur, Ward no. 6,
P.S. - Gamhariya, Dist. - Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 137(2) and
96 of the B.N.S.

3. The case of the prosecution is that the minor
daughter of the informant was missing. The informant started
searching her and he came to know that the petitioner along
with others have kidnapped her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that during course of



investigation, the victim has given her statement under Section 180 of the B.N.S.S. wherein she has stated that she has called the petitioner and went with him for roaming. When her parents came to know, they suspected that she has been kidnapped by the petitioner due to which, her parents have filed a case against this petitioner. After this, the petitioner dropped her at petrol pump. In her statement under Section 183 of BNSS, she has stated that the petitioner has kidnapped her on gun point and was threatened that if she raises alarm, she will be killed. She was kept in a room and she was dropped at petrol pump after four days. Learned counsel has further submitted that the victim of this case has made vacillating statements and in her previous statement before police, she has stated that she has gone with the petitioner whereas in her statement under Section 183 of BNSS, she has stated that the petitioner has kidnapped her on the gun point. The medical examination of the victim was also conducted and the doctor has opined that there is no any sign of recent recent sexual assault present at the time of her examination. Even, the victim has also not stated in her statement as to whether any sexual assault was made against her or not. The board of doctor who has conducted the medical examination of the victim has opined the age of the victim is



about 15-17 years. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 11.07.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gamhariya P.S. Case No. 19 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhepura.

(Ashok Kumar Pandey, J)

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