

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91637 of 2025

Arising Out of PS. Case No.-304 Year-2025 Thana- NAUTAN District- West Champaran

Sohit Kumar S/O Krishnandan Patel R/O Village- Mahodipur Bhath Tola, P.S-
Majhaulia, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/O Shyamakant Dubey R/O Village- Nautan, P.S- Shyampur,
Kotraha, Dist.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

7 05-05-2026 Heard learned counsel for the petitioner and learned
APP for the State. Although notices have been validly served
upon O.P. No. 2, there is no representation on his/her behalf.

2. The petitioner has preferred this application for
grant of regular bail in connection with Nautan P.S. Case No.
304 of 2025 registered for the offences punishable under
Sections 137(2), 87 and 3(5) of the B.N.S.

3. As per the prosecution case, the daughter of the
informant, aged about 18 years, was mentally unstable. It is
alleged that the co-accused, Abhinandan Kumar Dubey and
Amit Kumar Dubey, enticed the daughter of the informant for
the purpose of marriage. Despite a thorough search, no trace of



the victim was found. It is further alleged that the informant had been away from his house for several months due to the illness of his father. Upon returning home, he started searching his daughter, during which he came across a video relating to her marriage. It has also been alleged that several videos involving the co-accused, Abhinandan Kumar Dubey and Amit Kumar Dubey, were received, and the family member of the co-accused persons threatened the informant that if they were implicated, the victim would be killed.

4. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and has falsely been implicated in this case. It has further been submitted that the statement of the victim recorded under Section 183 of the B.N.S.S., which was called for by the order dated 15.01.2026, indicates that the victim was in love with the petitioner and had joined his company out of her own free will, and they ultimately solemnized their marriage. It has also been submitted that there was a delay of five months in lodging the FIR, and the FIR was lodged only when it transpired to the informant that the victim had performed marriage with the petitioner. She has categorically stated that the petitioner did not misbehave with her in any manner and did not take her forcibly. It has also been



submitted that there was no element of “enticing away” or “taking away”. Moreover, as per the school certificate the victim was aged more than 17 ½ years and she was not of such tender age so as to not understand the consequences of her action. Lastly, it has been submitted that the petitioner has clean criminal antecedent and is in custody since 28.06.2025.

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

6. Considering the aforesaid submissions of the parties and particularly the statement of the victim recorded under Section 183 of the B.N.S.S., let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran, in connection with Nautan P.S. Case No. 304 of 2025.

7. The application stands allowed.

(Praveen Kumar, J)

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