

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90736 of 2025

Arising Out of PS. Case No.-280 Year-2025 Thana- JANDAHA District- Vaishali

Prashant Kumar S/o- Sudhir Singh @ Sudhir Kumar Singh Resident of
Village- Chaksahvali Police Station- Mahisaur Jandaha, Dist- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rashida Khatoon W/o- Jamil R/v Po- Chand Sarai, Ps- Mahisaur Dist-
Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Ranjeet Kumar, learned counsel for the

petitioner and Mr. Sunil Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
03.09.2025 in connection with Jandaha (Mahusaur) P.S. Case
No. 280 of 2025, F.I.R. dated 05.07.2025 for the offences
punishable under Sections 137(2) and 96 of the BNS, 2023.

3. According to prosecution case, the informant
suspects that all the accused persons including this petitioner
have kidnapped the informant's daughter.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. In fact, the petitioner was in love with the victim and he has performed marriage with the victim. He further submits that the statement of the victim was recorded under Section 164 of the Cr.P.C/183 of the BNSS in which she has categorically stated that she has performed marriage with the petitioner. The date of birth of the victim is 07.07.2008 which suggest that the victim was more than 17 years of age at the time of incident. The petitioner is in custody since 03.09.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the victim herself stated that she has performed marriage with the petitioner, 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 the learned A.D.S.J, POCSO, Vaishali at Hajipur in connection with Jandaha (Mahisaur) P.S. Case No. 280 of 2025, subject to 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 absence on two consecutive dates without sufficient reason, his 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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