

**In the Court of Principal Dist. & Sessions Judge, Camp Court, Benipur,
Darbhanga.**

Present

At present Rishi Gupta

I/C Principal Dist. & Sessions Judge, Camp Court, Benipur

Benipur, dated, the 12th June, 2026

Bail Petition no. 51 of 2026

Shivam Das

.....Petitioner.

Versus

The State of Bihar

.....Opposite Party.

Counsel for the petitioner :- Sri. Krishna Kumar Jha, Ld. Advocate.

Counsel for the State :- Smt. Punam Jha, Ld. APP

ORDER

12.06.2026 The present application for bail has been filed on behalf of petitioner namely Shivam Das, S/o Bechan Das, R/o village- Dherukh, P.S.- Bahera, Dist. - Darbhanga, in connection with Bahera P.S. Case No. 256/25, offence u/s 96, 351(2), 352, 3(5) of BNS, which is pending in the Court of ACJM, Benipur, Darbhanga.

Heard Sri. Krishna Kumar Jha Ld. Counsel for the petitioner and Smt. Punam Jha, Ld. A.P.P. on behalf of the State.

The prosecution case as stated in brief is that one Ram Siya Mahto gave a petition before the SHO, Bahera alleging therein that his minor grand-daughter namely Kajal Kumari who is 17 years old and who lived with him and studying. On dated 10.07.2025 at 09:30 AM his minor she went to Mahinam High School for some work but could not return home till evening. That the informant along with others done hectic search and after that he came to know that on dated 12.07.2025 in the morning one Shivam Das, S/o Bechan Das took her with him. When he reached at his home and asked about this incident from his parents, then they started abusive words and said that we will not return her to them.

The Counsel for the petitioner has submitted that the petitioner is in judicial custody since 30.05.2026 without any fault. That prior to it, earlier a bail application was filed on behalf of the petitioner before the Ld. ACJM, Benipur which has been rejected except it no other bail petition is pending any where. That there is no criminal antecedent against the petitioner. That the petitioner has committed no offence and he is quite innocent. For that the section 96 of the BNS is not made out against this petitioner. For that the occurrence date is 10.07.2025 and FIR has been lodged on dated 15.07.2025. For that there are 5 days delaying in the lodging of the FIR without any authentic explanation. For that the petitioner is arrested only on the basic of suspicion and no any authentic evidence against this petitioner. That the petitioner emphatically deny that no such occurrence did ever take place as alleged in FIR. That the petitioner is ready to abide by any condition if they are enlarged on bail. That the petitioner is man of means and as such no chance of his absconding if released on bail. That the petitioner is ready to furnish the

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bail bond to the full satisfaction of the Ld. Court. Therefore, the present petition may be allowed.

On the other hand Ld. APP appearing for the State has opposed the prayer for bail and submitted the offence are grave in nature, hence the bail petition may be reject.

Heard, Submissions of both parties and perused the record. From perusal of record, it has been found that this case has been filed u/s 96, 351(2), 352, 3(5) of BNS against petitioner aged about 20 years along with his family members. That petitioner is in custody from 30.05.2026. That the statement of the victim attached with the record, and from perusal of the same, it has been found that there was no allegation made by alleged victim against the petitioner. So, in the light of discussions made above, submissions made by counsel of the petitioners and considering period of custody, this Court finds its proper to enlarge the petitioner accused on bail and accordingly bail petition of accused petitioner namely **Shivam Das**, S/o Bechan Das, R/o village-Dherukh, P.S.- Bahera, Dist. - Darbhanga is hereby allowed. The accused petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousands/-) with two sureties of like amount each to the satisfaction of the court and with the condition that accused petitioners shall remain present till framing of charge.

(Dictated and Corrected)


(Rishi Gupta)

I/C Principal Dist. & Sessions Judge,
Benipur
12.06.2026.

Date of Order	12.06.2026
Date of Reserving Order	12.06.2026
Uploading Date	17.06.2026
Uploaded by	Rajesh Kumar, BC cum OC.