

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4004 of 2025

Arising Out of PS. Case No.-34 Year-2024 Thana- TISIAUTA District- Vaishali

Ritik Kumar Sah @ Ritik Kumar S/o Tuntun Sah R/o Village- Loma, PS-
Jandha, District- Vaishali Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi W/o Late Akhilesh Chaudhary R/o vill and Post - Loma, P.S. -
Tisiyauta, Distt.- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 23-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Tisiauta
P.S. Case No. 34 of 2024 instituted for the offences under 439
of the I.P.C.

3. As per prosecution case, the accusation against the
petitioner is of kidnapping the minor daughter of the Informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
Learned counsel for the petitioner submits that there is a love
affairs between the petitioner and the victim girl and she left her



house on her own volition. He further submits that there is delay of 12 days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. The victim girl in her statement recorded under Section 183 Cr.P.C. has not made any allegation of any overt act against the petitioner rather has made an allegation against her own mother, who is the Informant of this case. The petitioner has one criminal antecedent and is languishing in judicial custody since 12.07.2024 without any rhymes or reason. He further submits that though the F.I.R. was registered under Section 439 of the I.P.C. but, the Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 366(A) of the I.P.C. and Section 8/12 of the POCSO Act.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner as also taking into account the statement of the victim girl



recorded under Section 183 of the B.N.S.S., let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tisiauta P.S. Case No. 34 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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