

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22521 of 2025

Arising Out of PS. Case No.-428 Year-2024 Thana- ARWAL District- Jehanabad

Amrendra Kumar @ Sudhir Kumar @ Sudhir, S/O Late Vijay Yadav R/O
Village- Chiraiyatarh, Noniya Bigha, P.S.- Arwal, District- Arwal.
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :	
For the Petitioner/s	: Mr. N. K. Agrawal, Sr. Advocate Mr. Umesh Kumar, Advocate Mr. Kumar Rajdeep, Advocate Mr. Abhishek Anand, Advocate Mr. Tahsin N. Siddique, Advocate Ms. Sristy Patel, Advocate
For the State	: Mr. Bhanu Pratap Singh, Advocate
For the informant	: Mr. Lokesh Kumar, Advocate Mr. Vargis Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 23-07-2025 Heard learned senior counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Arwal
P.S. Case No. 428 of 2024 dated 17.11.2024 instituted for the
offence punishable under Sections 137(2), 87, 3(5) of the
Bhartiya Nyaya Sanhita, 2023.

3. The allegation against the petitioner is that he has
kidnapped the wife of the informant.

4. Learned senior counsel for the petitioner submits
that the petitioner is innocent and he has been falsely implicated
in this case. Learned senior counsel for the petitioner submits



that the petitioner is in love with the wife of the informant and with her consent, the petitioner fled away with her. On 20.11.2024, the victim filed petition bearing Divorce Case No. 1516 of 2024 for dissolution of marriage under Section 13 of Hindu Marriage Act before the Principal Judge, Family Court, Patna along with affidavit sworn by her. It is further submitted though divorce decree has not been passed in the case but the victim performed her marriage with the petitioner in temple and in support of that an affidavit has been filed. It is submitted that the husband of the victim is a cruel man. Learned senior counsel for the petitioner further submits that the conduct of her husband has been mentioned in the divorce petition. It is further submitted that after recovery of victim, the informant prevailed over his wife as the informant was in apprehension that the victim after getting divorce may live with this petitioner and therefore, anyhow prevailed over the victim under coercion and threat. It appears that the informant got false statement through the victim under Section 183 of B.N.S.S. so that the petitioner could not able to live with the victim. Learned senior counsel also draws the attention of the Court towards paragraph nos. 58, 59 & 60 of the case diary, which reveals that the petitioner and the victim are well-acquainted and time and again, they talked to each other. Learned senior counsel for the petitioner further submits that



charge has already been framed. Lastly, it has been submitted that the petitioner is in custody since 28.11.2024 having five criminal cases against him.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for bail of the petitioner. Learned counsel for the informant submits that statement of the victim has been recorded under Section 183 of B.N.S.S. and she has fully supported the case of the prosecution in which she has stated that the petitioner forcefully established physical relation with the victim. In paragraph 40 of the case diary, the victim also stated that the petitioner forcefully established physical relation twice with her.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Arwal in connection with Arwal P.S. Case No. 428 of 2024.

(Khatim Reza, J)

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