

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38538 of 2025

Arising out of PS. Case No.-224 Year-2024 Thana- BAUNSI District- Araria

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Dinesh Kumar, Son of Late Chandra Kala Rishideo, Resident of Village
-Karaihiya Ward No 01 Police Station- Bounsi District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Rana, Advocate
For the Informant	:	Mr. Rabindra Kumar Priyadarshi, Advocate
		Mr. Dheeraj Kumar, Advocate
For the State	:	Mrs. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner, learned

counsel for the informant and learned Additional Public

Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the

offences under Sections 191(2), 190 and 96 of the BNS. He has

no criminal antecedent.

3. As per the FIR, all the named accused persons

including the petitioner is stated to have forcibly taken away

the minor daughter of the informant who was thereafter trace-

less and despite the request made to the accused persons they

did not return the daughter of the informant.

4. Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in this case and the case of



kidnapping is not made out against the petitioner. It is further submitted that from the statement made under Section 183 of the BNS the victim has categorically stated that she has gone out of her own sweet-will and she had solemnized marriage with the petitioner and they had gone to Nepal and she then came back to her in-laws' place and she was never kidnapped. It is also submitted that the victim girl has stated that her age is 15 years. It is lastly submitted that the petitioner has no criminal antecedent and he is in custody since 24.03.2025.

5. Learned Additional Public Prosecutor for the State as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner and have submitted that from perusal of the FIR it would be evident that the entire family members of the petitioner had taken away the minor daughter of the informant and the statement of the minor daughter of the informant cannot be taken into account since she is admittedly a minor and, as such, he should not be released on bail.

6. Considering the aforesaid submissions of learned counsels and taking into account the fact that the charge-sheet has already been submitted, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Shri Pranav Kumar, Judicial Magistrate, 1st Class, Araria (or his successor) in connection with Bounsi P.S. Case No. 224 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) 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 de-
layed for purpose of the same or in the name of
verification.

7. It is made clear that the observations, if any,
made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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