

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46808 of 2025

Arising Out of PS. Case No.-498 Year-2020 Thana- HARSIDHI District- East Champaran

Golu Kumar @ Ritesh Kumar S/o Sri Bhagwan Sahni R/o Village- Sonbarsa,
P.S.- Harsidhi, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Pradeep Kumar S/o Sri Toofani Sahni R/o Village- Sonbarsa, Ward No. 12,
P.S.-Harsidhi, District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubham Shivansh, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-07-2025 Heard Mr. Shubham Shivansh, learned counsel

appearing on behalf of the petitioner and Mr. Ram Priya Sharan

Singh, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Harsidhi P.S. Case No. 498 of 2020 registered under
Sections 363, 366(A), 34 of the Indian Penal Code and Sections
8 and 12 of the POSCO Act, 2012.

3. As per the allegation made in the FIR, the
petitioner, along with accused persons, kidnapped the minor
sister of the informant.

4. Learned counsel appearing on behalf of petitioner
submitted that the petitioner is innocent and he has falsely been



implicated in the present case. He further submitted that as would appear from the paragraph no.3 of the impugned order the Medical Board has determined the age of the victim to be between 17 years to 18 years, and her statement, recorded under section 164 of the Cr.P.C., she has stated that she had solemnised marriage with the petitioner and she has not alleged anything against the petitioner. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the rival submissions made on behalf of the parties, as well as, in view of the fact that the Medical Board has determined the age of the victim to be between 17 years to 18 years, as would appear from the paragraph no.3 of the impugned order and in her statement, recorded under section 164 of the Cr.P.C., she has stated that she had solemnised marriage with the petitioner and she has not alleged anything against the petitioner, the petitioner is having clean antecedent, I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on anticipatory bail.

7. The learned District Court is directed to release the



petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Sessions Judge, East Champaran, Motihari/ in connection with Harsidhi P.S. Case No. 498 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

Ashishsingh/-

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