

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49858 of 2025

Arising Out of PS. Case No.-30 Year-2015 Thana- ALAMGANJ District- Patna

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Jitendra Kumar Son of Late Amika Paswan Resident of Village - Sultanpur,
P.S.- Sonpur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Adv.

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Alamganj P.S. Case No. 30 of 2015 registered for the offences punishable under Sections 363(A) and 366 of the Indian Penal Code.

3. Allegedly, while the victim 'X' was in remand home; on 06.02.2015 in course of counting of the inmates, it was found that she succeeded in fleeing away. The petitioner is said to be her husband. On account of her disappearance, the present FIR came to be lodged.

4. Learned counsel for the petitioner submitted that the marriage of the victim was solemnized with the petitioner on 11.10.2014 and she was living with the petitioner happily but, in



the meanwhile, the father of the victim lodged Akilpur P.S. Case No.55 of 2014 against the petitioner and his two brothers. The victim was recovered and sent to the Remand Home, Gaighat. It is further contended that while the victim was in a family way and beget a male child, the father of the victim filed an application on 30.07.2015 before the Trial Court for release the victim and thereupon vide order dated 17.12.2015, she was released in favour of her father. The entire order-sheets of the Trial Court have been placed on record.

5. Learned Advocate for the petitioner further contended that since the FIR has been instituted against unknown persons; therefore, the petitioner was not knowing about the present case. Moreover, for the first time, after 17.12.2015, in the year 2025 when the petitioner came to know about implication of his name, he approached before the Court concerned. It is lastly contended that the victim is still residing with her parents and the petitioner undertakes that he will fully cooperate in the proceedings of the Court.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the petitioner has been absconding his arrest for the last ten years and, as such, he does not deserve the privilege of anticipatory bail.



6. Regard being had to the submissions made on behalf of the parties and considering the fact that the FIR has been instituted against unknown persons and, later on, the victim was released from the remand home in favour of her father and still she has been residing with her parents as also the materials collected during the course of investigation that both the petitioner and the victim had solemnized marriage, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below 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 A.C.J.M.-VI, Patna City, Patna in connection with Alamganj P.S. Case No. 30 of 2015, subject to the condition as laid down under Section 482(2) of the B.N.S.S., with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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