

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6041 of 2026

Arising Out of PS. Case No.-48 Year-2025 Thana- BAISI District- Purnia

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Anurath Kumar Yadav Son of Suryanand Yadav Resident of Mohalla -
Gawalgaon, Police Station - Baisi, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Upin Yadav Son of Laxmi Yadav Resident of Gram - Gawalgaon, Police
Station - Baisi, District - Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishal Kumar Sharma, Advocate
For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in
connection with Baisi P.S. Case No. 48 of 2025 registered for
the alleged offences under Sections 140(3) and 87 of BNS.

03. As per prosecution case, the daughter of the
informant went missing from her house and the informant came
to know about the petitioner, who was in touch with his
daughter through mobile phone.

04. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case and no offence has been committed by the petitioner. The



daughter of the informant is major and she solemnized marriage with the petitioner as they were having an affair. The daughter of the informant is legally wedded wife of the petitioner and her statement was recorded before the learned Magistrate where she stated that she left with him on her own and solemnized marriage with the petitioner and she expressed her wish to go with the petitioner. Learned counsel further submits that the medical report of the victim girl shows she was aged more than 18 years. The petitioner is having clean antecedent. The petitioner is in custody since 16.03.2025 and charge sheet has been submitted.

05. Learned APP opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the voluntary nature of act of the daughter of the informant stated to be a major girl and also considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner above named is directed to 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 learned Special Judge, POCSO, Purnea /concerned Court in connection



with Baisi P.S. Case No. 48 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also 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.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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