

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5441 of 2026

Arising Out of PS. Case No.-212 Year-2025 Thana- ALAMNAGAR District- Madhepura

Abhishek Kumar S/O Mahanth Sah R/O Village- Puraini Bazar, P.S- Puraini,
Distt.- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/O Y R/O Village- Keshopur, Ward No. 5, P.S- Alamnagar, Distt.-
Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Chand Prasad, Advocate
		Mrs. Pooja Prasad, Advocate
For the Opposite Party/s :		Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 29-01-2026 Heard Mr. Uday Chand Prasad, learned counsel for
the petitioner and Mr. Anuj Kumar Shrivastava, learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
14.08.2025 in connection with Alamnagar P.S. Case No. 212 of
2025, F.I.R. dated 01.07.2025 for the offences punishable under
Sections 137(2), 140(3), 96, 352 of the B.N.S.

3. According to prosecution case, petitioner and other
co-accused person are alleged to have kidnapped the minor
daughter of the informant for the purpose of marriage.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the
allegation as alleged in the FIR is false and fabricated and the



petitioner has not committed any offence as alleged in the F.I.R. In fact the petitioner was in love with the victim girl and the petitioner and victim girl have performed the marriage. Apart from the aforesaid, date of occurrence is 09.06.2025 but the present FIR was instituted on 01.07.2025 i.e. after delay of 22 days. The victim girl was recovered and her statement was recorded u/s 183 of BNSS in which she has not supported the case of prosecution and she has stated that she has performed the marriage with the petitioner and she is living in the house of the petitioner. Apart from aforesaid, the victim girl has denied for her medical examination. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 14.08.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and also the fact that the petitioner has clean antecedent, victim has not supported the case of the prosecution and FIR was instituted after delay of 22 days, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Udakishunganj,



Madhepura in connection with Alamnagar P.S. Case No. 212 of 2025, with the following conditions:

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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