

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6927 of 2026

Arising Out of PS. Case No.-296 Year-2025 Thana- RUNISAIDPUR District- Sitamarhi

Raushan Kumar Baitha @ Raushan Kumar S/O Sri Baitha R/o Village -
Baghari, P.S- Runnisaidpur, Distt.- Sitamarhi

... .. Petitioner

Versus

1. The State of Bihar
2. XXX S/O Late Ram Aanchal Rai R/o Village - Baghari, WArD no.- 09 P.S-
Runnisaidpur, Distt.- Sitamarhi

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Ayush Kumar, Advocate
	:	Mr. Bhuwan Jayant, Advocate
	:	Mr. Ranjeeta Singh, Advocate
	:	Mr. Ritesh Kumar Narain Singh, Advocate
For the Opposite Party/s	:	Mr. Prem Kumar Jha, A.P.P.
For the Informant	:	Mr. Ayush Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 23-03-2026 Heard Mr. Ayush Kumar, learned counsel for the

petitioner, Mr. Ayush Kumar, learned counsel for the informant
and Mr. Prem Kumar Jha, learned Additional Public Prosecutor
for the State.

2. Petitioner seeks bail who is in custody since
30.09.2025 in connection with Runnisaidpur P.S. Case No. 296
of 2025 for the offences punishable under Sections 96 and
61(2), 65(2) of BNS and Section 8 of POCSO Act.

3. The prosecution story, in brief, is that his minor
daughter, left home on 07.08.2025 at approximately 01:30 PM
for going to the coaching center (located at Baghadi Chowk).



However, when his minor daughter did not arrive, the coaching center's teacher, Raman Kumar Rai, called his home and asked why his daughter had not come to the coaching center. His wife then informed the coaching center teacher that her daughter had left home for coaching at 01:30 PM. Informant's wife Meena Devi and his family members then began searching for her. Meanwhile, informant wife informed him of the incident via phone. Informant returned home from Delhi on 08.08.2025 at around 12:00 noon in 2025. At that very moment, informant was greeted by the villagers. On the evening of 08.08.2025, informant got information that his daughter was forcibly taken from his house in a white coloured four wheeler (Scorpio) in front of the new shop of Jaikumar Chaudhary (which is empty and closed) in the south. It is next alleged that his minor daughter was forcibly taken away from the village towards Koralhiya pond in the West by opening the gate and she was made to sit inside. It is next alleged that informant also got information that in the four-wheeler Scorpio vehicle, 1. Roshan Kumar Baitha S/o- Sri Baitha, 2. Rajesh Kumar S/o- Late Lalbabu Baitha, 3. Deepak Rajak S/o- Sarobar Baitha & 4. Baby Devi W/o- Shri Baitha were also present. Thereafter, informant along with his family, went to Veevi Devi, house on 08.08.2025,



at around 06:00 PM and asked for his daughter's return. Meanwhile, Veevi Devi informed her husband, Mr. Baitha, over the phone that everyone was demanding the girl's return. Mr. Baitha also began abusing him over the phone and said. "Call Samang and beat everyone out of the door and drive them away." Meanwhile, the aforementioned Rajesh Kumar, Deepak Rajak also arrived and began abusing him. It is further alleged that after shutting down her mobile, Beevi Devi also continued abusing informant, saying, "You all heard my husband (Mr. Baitha) on the phone. Now go wherever you want; you won't find your daughter. She will be sold," Informant fear that they will forcibly kidnap his minor daughter and sell her for prostitution, or they will marry her off and then kill her.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is further submitted that the victim in her statement recorded under Section 183 of BNSS has not supported the case of the prosecution. Apart from the aforesaid, in paragraph-30 of the case diary she has also refused for her



medical examination.

5. The learned Additional Public Prosecutor and learned counsel for the informant, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submit that petitioner is named in the FIR and apart from that the petitioner has committed the crime in question and the victim was minor at the time of occurrence.

6. Considering the aforesaid facts and circumstances and the fact that petitioner is a person with clean antecedent, 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 District and Additional Sessions Judge-IV-cum-Exclusive Special Judge (Rape and POCSO Act), Sitarmarhi in connection with Runnisaidpur P.S. Case No. 296 of 2025, subject to 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be canceled 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)

Gaurav Sinha/-

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