

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12562 of 2026

Arising Out of PS. Case No.-45 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

Ashutosh Kumar S/o Chandeshwar Singh Resident of Village- Bakhari, P.S.-
Patahi, District - East Champaran at Motihari

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/o Y R/o Village - Gadha Dhanusi Ward No. 3, P.S - Runnisaidpur,
District - Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 09-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection
with Runni Saidpur P.S. Case No. 45 of 2021 registered for the
offence punishable under Sections 363, 366(A) of the Indian
Penal Code.

3. The case of the prosecution, in short, is that the
petitioner has kidnapped the minor daughter of the informant.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. Learned counsel for the petitioner has submitted that in



this case, the trial is in advanced stage, and even the victim has been examined in the learned trial court as PW-1. He further submits that the victim has stated categorically in her deposition that as she has solemnized marriage with the petitioner, her father has filed this case. She has also stated that her age was 18 years at the time of marriage. It has also been stated by the victim in her cross-examination that she is also having a girl child out of wedlock who is aged about four years. He also submits that from perusal of the FIR, it will transpire that the date of occurrence is 02.03.2020, whereas the FIR was filed on 14.01.2021. There is a delay of eight months in filing this case, but the delay is not explained. He further submits that the victim herself has eloped with the petitioner, and they are living a happy married life. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 24.10.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-IV-cum-Special Judge (Rape and POCSO), Sitamarhi in connection with Runni Saidpur P.S. Case No. 45 of 2021 corresponding to Tr. No. 411 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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