

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11619 of 2026

Arising Out of PS. Case No.-92 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

MITHLESH KUMAR @ MITHILESH KUMAR S/O HARI PRASAD RAI
RESIDENT OF VILLAGE- BAHILWARA @ GADHA, P.S.-
RUNNISAIDPUR, PRESENT P.S.- GADHA, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. XX W/O YY R/O Gadha, Ward no. 10, P.S.- Gadha, Dist.- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Jha, Advocate

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2026 Heard Mr. Vikash Kumar Jha, learned counsel

 appearing on behalf of the petitioner and Mr. Aditya Narayan

 Singh.1, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Runnisaidpur P.S. Case No. 92 of 2024 registered for the
offence(s) punishable under Sections 363,366A,34 of the Indian
Penal Code.

3. As per the allegation made in the FIR, the petitioner
is said to have kidnapped the daughter of the informant with the
intention of selling her.

4. Learned counsel appearing on behalf of the
petitioner submitted that petitioner is innocent and has falsely



been implicated in the present case. Learned counsel further submitted that in the statement of the victim recorded under Section 164 Cr.P.C., she has denied that the petitioner has assaulted her physically or sexually. In fact, the victim had willingly gone to her aunt's place at Patna being aggrieved by the settlement of her marriage with another person. In this regard, the petitioner has given specific information in paragraph no.14 of the bail petition that earlier also, parents of the victim have lodged three cases against the petitioner on the similar allegation. He submitted that the petitioner being innocent seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR from which it appears that victim has not supported the prosecution case by not alleging anything against the petitioner, I am of the opinion that a case is not made out for the alleged offence of kidnapping.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks



from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-VI, Sitamarhi / Concerned Court in connection with Runnisaidpur P.S. Case No. 92 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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