

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15164 of 2026

Arising Out of PS. Case No.-363 Year-2025 Thana- MALAHI District- East Champaran

Kundan Kumar Son of Rama Das Resident of village Mishrain Tola, P.S.-
Paharpur, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Son of Janak Yadav R/V- Majhariya Kriti Tola, P.S.- Malahi, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 10-03-2026 Heard the learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner apprehends arrest in connection with
Malahi P.S. Case No. 363 of 2025 registered for offences under
Sections 137(2), 87 of the Bharatiya Nyaya Sanhita, 2023 and
Section 8/12 of the POCSO Act.

3. As per the prosecution case, the petitioner is
accused of kidnapping the victim girl.

4. Learned counsel for the petitioner submits that
petitioner is quite innocent and has not committed any offence.
He further submits that from the perusal of the statement of the
victim girl it is evident that the victim had eloped with the



petitioner on her own.

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

6. Considering the aforesaid facts and circumstances of the case and the statement of the victim girl, this application for anticipatory bail is allowed.

7. Accordingly, let the petitioner, above-named, in the event of arrest or surrender within four weeks from today in the Court below, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Malahi P.S. Case No. 363 of 2025 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Sandeep Kumar, J)

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