

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24770 of 2026

Arising Out of PS. Case No.-149 Year-2024 Thana- ROSERA District- Samastipur

Kanhai Sah @ Krishan Kumar Son of Late Tuntun Sah Resident of Village -
Chaumukh, Lalbanna, P.S. - Bochaha, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XYZ [REDACTED] R/o Village - Unsar Bahapur, Ward no. 08, P.S. -
Bochaha, Dist. - Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Shanker Singh, Advocate
For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 363 and
366-A of IPC.

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

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Learned
counsel for the petitioner has submitted that from perusal of
the FIR, it is clear that this occurrence is of 24.04.2024
whereas the FIR was lodged on 30.06.2024 after more than



two months. The delay is not explained. Learned counsel has further submitted that during course of trial, the victim has been examined as PW-1 and she has stated in her examination-in-chief that she has fled to Punjab and has married to this petitioner with her own will. In her cross-examination by the court, she has stated that she was having affair with the petitioner and has told the petitioner to take her away to which he denied. Learned counsel has submitted that the statement of the victim before trial court is that she herself has gone to Punjab and this statement clearly shows that offence under Section 366A of IPC is not made out. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 19.11.2024.

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

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 released on bail in connection with Rosera P.S. Case No. 149 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Additional Sessions Judge-
VI-cum-Special Court (POCSO), Samasitpur.

(Ashok Kumar Pandey, J)

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