

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25384 of 2026

Arising Out of PS. Case No.-57 Year-2023 Thana- BITHAN District- Samastipur

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Sourav Kumar @ Sourabh Kumar S/O Madan Sah R/o - Telni, P.S - Bithan,
District - Samastipur, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulashan Khatoon W/O Md. Salim R/o - Gajablaja Ward No- 02 , P.S -
Bithan, District - Samastipur, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-04-2026 Heard learned counsel appearing on behalf of the

petitioner and the learned APP for the State.

2. Petitioner seeks pre-arrest bail in connection with

Bithan P.S.Case No.57 of 2023 registered for the offences

punishable under Sections 363, 366A and 34 of the Indian

Penal Code.

3. As per the allegation made in the FIR, co-accused

persons along with the petitioner kidnapped the daughter of the

informant with an intention to marry.

4. Learned counsel appearing on behalf of the

petitioner submitted that the petitioner is aged about 20 years

and the victim has not supported the prosecution case. In her



statement recorded under Section 183 of BNSS, she has admitted that she had went to Haryana on her own sweet-will and she intends to marriage with the petitioner.

5. Considering that the parties intend to marry but in absence of any information in the bail application or in the impugned order in respect of the statement of the victim recorded under Section 164 Cr.P.C., the impugned order is modified to the extent that the learned District Court is directed to verify the statement of the victim, which has been recorded under Section 164 Cr.P.C. and if finds that both are in relationship, then the petitioner is directed to be released on pre-arrest bail in connection with Bithan P.S.Case No.57 of 2023, subject to conditions as laid down under Section 482(2) of BNSS of 2023 and other conditions as deems fit and proper.

6. With the above observation/direction, the present application stands disposed of.

(Purnendu Singh, J)

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