

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24428 of 2026

Arising Out of PS. Case No.-7 Year-2026 Thana- KUCHAIKOTE District- Gopalganj

Deepak Madhesiya @ Deepak Kumar S/o- Omprakash Madhesiya Resident
of Village- Kuchaikote PS- Kuchaikote Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Adesh Raj Singh, Advocate
For the State : Mr. Madan Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

2 16-04-2026 Heard the learned counsel for the petitioner and the
learned A.P.P. appearing for the State.

2. The petitioner apprehends his arrest in connection
with Kuchaikote P.S. Case No.07 of 2026, for allegedly having
committed offences under Sections 137(2) and 140(3) of the
B.N.S., 2023.

3. As per the prosecution story, which has been lodged
by the informant *inter alia*, is that his son was working in the
sweet shop of the petitioner and he disappeared on 28.08.2025.

4. The learned counsel for the petitioner submits that
although the son of the petitioner went traceless from
28.08.2025, but he lodged the present F.I.R. on 04.01.2026 and
no explanation has been given for the delay. He further submits
that the petitioner filed a Sanha before the Officer-in-Charge of



the Kuchaikote police station on 30.08.2025 informing therein that the son of the informant went missing since morning of 28.08.2025. He also published and pasted notice at public places, with regard to disappearance of the son of the informant and further the case has been compromised in between the petitioner and the informant, for which a compromise petition as well as a petition for permission to compromise has been filed in the court of the learned Chief Judicial Magistrate, Gopalganj. It is further submitted that the petitioner has got a clean antecedent.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the rival submissions and after going through the records, it transpires that the F.I.R. has been lodged by the informant on 04.01.2026, although his son went missing on 28.08.2025 and further the informant has compromised the case with the petitioner and also filed a petition before the competent court for permission to compromise.

7. Taking into consideration the facts aforesaid, let the petitioner, above-named, in the event of his arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Kuchaikote P.S. Case No.07 of 2026, subject to the conditions laid down under Section 482(2) of the B.N.S.S. with a further condition that:-

The learned court concerned shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J.)

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