

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31946 of 2026

Arising Out of PS. Case No.-262 Year-2024 Thana- RIGA District- Sitamarhi

Sushil Kumar @ Sushil Kumar Das S/o Raj Mangal Das R/o Village-
Ufrauliya, P.S.- Riga, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Ms. (Dr.) Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 17-07-2026 Heard the learned counsel for the petitioner, the
learned counsel for the informant and the learned A.P.P.
appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Riga P.S. Case No.262 of 2024 for allegedly having
committed offences under Sections 363 and 365 of the Indian
Penal Code.

3. As per the prosecution story, which has been lodged
on the basis of the written report submitted by the informant, to
the effect that his wife, namely Pushpa Devi left her house on
29.06.2024 along with his seven years old daughter, without
informing anyone. The same was informed by the informant to
his father-in-law on his mobile number, however his wife did
not return home and despite hectic search, he could not succeed



in tracing his wife. It has further been alleged that the holder of Mobile No.8288916023 has lured his wife and kidnapped her, along with her minor daughter. It has further been alleged that earlier also his wife had left her home and for which Riga P.S. Case No.513 of 2022 was lodged against his co-villager, namely Sushil Kumar Das, the petitioner herein.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He is the co-villager of the informant and due to dispute in between the parties, he had earlier also lodged Riga P.S. Case No.513 of 2022 under Sections 363 and 365 of the Indian Penal Code against the petitioner and his mother, for missing of his wife. Later on, his wife returned back and due to quarrel in between the husband and the wife, she again left her home along with her minor daughter. The petitioner has got no role in kidnapping the wife of the informant. He further submits that in Riga P.S. Case No.513 of 2022, the wife of the informant had stated in her statement recorded under Section 164 Cr.P.C. that due to quarrel in between the parties i.e. the informant and his wife, she left her home suo motu and went to the house of her aunt at Sitamarhi and when she came to know about the lodging of Riga P.S. Case No.513 of 2022, she appeared before the police



station. The learned counsel for the petitioner further submits that the present case has been lodged intentionally by the informant to harass the petitioner. He submits that the petitioner is an accused in two other cases, out of which one is Riga P.S. Case No.513 of 2022, which was lodged by the informant herein. He submits that in both the cases, the petitioner is on bail.

5. *Per contra*, the learned counsel appearing on behalf of the informant submits that now the matter has been compromised in between the husband and the wife and the wife of the informant has returned, however she is residing with one another person.

6. The learned A.P.P. for the State also opposes the prayer for grant of anticipatory bail to the petitioner.

7. Having considered the rival submissions and after going through the records, it appears that earlier also the present informant had lodged Riga P.S. Case No.513 of 2022 against the petitioner and his mother for kidnapping his wife, however his wife returned suo motu and gave her statement under Section 164 Cr.P.C. It further appears from the statement made by the learned counsel for the informant that the wife has returned, however she is residing with one another person.



8. 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 Additional Chief Judicial Magistrate-VI, Sitamarhi in connection with Riga P.S. Case No.262 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C. 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 his bail bond. 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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