

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35418 of 2026

Arising Out of PS. Case No.-329 Year-2021 Thana- RIGA District- Sitamarhi

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Krishna Kumar @ Kisan Raut @ Kishan Kumar @ Kishan S/o Kapleshwar
Raut R/o Village- Bulakipur, PS- Riga, Distt- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX S/o XXX R/o vill - Bulakipur, P.S.- Riga, Distt.- Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Adv
For the Opposite Party/s : Mr. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 21-07-2026 Heard the learned counsel for the petitioner, the

learned counsel appearing on behalf of the informant and the

learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Riga P.S Case No. 329 of 2021, registered under Sections
363, 366(A), 34 of I.P.C.

3. As per the prosecution case, which has been lodged
on the basis of the written report submitted by the informant to
the effect that on the date of occurrence, his sister along with her
mother went out of the house at around 04:00 in the morning for
a walk and on way, the petitioner along with other co-accused
persons named in the FIR pushed the mother of the informant
and forcefully kidnapped his sister. When the mother of the



informant protested, she was threatened by other co-accused persons and she was also caught by other co-accused persons. The co-accused persons also used filthy language against the mother of the informant and the petitioner fled with the sister of the informant.

4. The learned counsel for the petitioner submits that the FIR has been lodged on suspicion and on the alleged date of occurrence, the victim girl was a major aged about 19 years and 7 months, since her date of birth is 03.02.2002. He further submits that later on the victim girl was recovered and her statement was recorded under Section 164 of the Cr.P.C./ Section 183 of the B.N.S.S. on 17.01.2022 in which and she did not support the prosecution case and she stated that on 18.09.2021, she left her house on her own will and reached Delhi with the petitioner. She further stated that her brother used to torture her and therefore she left her house with the petitioner and solemnized marriage with him on 28.12.2021 in temple at Gaziabad (U.P.). He further submits that other co-accused persons have been granted bail by Hon'ble Single Judge of this Hon'ble Court vide order dated 04.08.2022 passed in Criminal Miscellaneous No. 13633 of 2022 and order dated 06.09.2022 passed in Criminal Miscellaneous 21145 of 2022. The learned



counsel for the petitioner further submits that after marriage the victim girl is living with the petitioner and has also given birth to a female child, who is 6 months old at present. He further submits that the petitioner has got a clean antecedent.

5. *Per contra*, the learned counsel appearing on behalf of the informant submits that both the petitioner and the victim girl have solemnized marriage and are living as husband and wife for the last 4-5 years and she has also given birth to a child.

6. The learned APP for the State opposes the prayer for grant of bail to the petitioner.

7. Having considered the rival submissions and after going through the record, it appears from the petition as well as the order dated 24.04.2026 passed by the learned District & Additional Sessions Judge-VI -cum- Special Judge, (POSCO Act), Sitamarhi that the victim girl is residing with the petitioner herein. The learned counsel for the informant who appeared before the Court of learned District & Additional Sessions Judge -VI -cum- Special Judge, (POSCO Act), Sitamarhi submitted that the victim solemnized marriage with the petitioner and due to her wedlock she has one child aged about 3 years and she is leading peaceful life with the petitioner. It further appears that in her statement under Section 183 of B.N.S.S, the victim girl had



told that she has solemnized marriage with the petitioner and this fact has not been denied by the learned counsel appearing on behalf of the informant. Considering the above, let the petitioner, above named in the event of arrest/surrender within a period of six weeks from today, 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 District & Additional Sessions Judge-VI -cum- Special Judge, (POSCO Act), Sitamarhi in connection with Riga P.S. Case No. 329 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., and subject to the following condition:-

(I) 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 step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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(Ritesh Kumar, J)

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