

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39493 of 2026**

Arising Out of PS. Case No.-436 Year-2025 Thana- CHIRAIYA District- East Champaran

1. Rita Devi W/o Late Surrendra Thakur Resident of Village - Barajairam, P.S.- Chiraiya, District - East Champaran
2. Awanish Thakur @ Awanish Kr. S/o Late Surrendra Thakur Resident of Village - Barajairam, P.S.- Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhannjay Kumar II, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR**

ORAL ORDER

2      17-06-2026                      Heard the learned counsel for the petitioners and  
the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Chiraiya P.S. Case No. 436 of 2025, for allegedly having committed offence under Sections 137(2) and 3(5) of the BNS.

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 daughter of the informant went for call of nature and did not return. The informant started searching for her. On 06.10.2025, she got to know that her daughter has been kidnapped with an intention to marry her by co-accused Rupesh Kumar Thakur, who is said to be the son of the petitioner no.1 herein. It has been further alleged that the petitioners have conspired and helped co-accused Rupesh



Kumar Thakur in kidnapping the daughter of the informant with an intention to marry her.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. The petitioners have been implicated in the present case, since the petitioner no.1 happens to be the mother and petitioner no.2 happens to be the brother of the co-accused Rupesh Kumar Thakur. The petitioners have got no concern with the kidnapping of the daughter of the informant. He further submits that later on, the victim girl has been recovered and she has stated that she was in love with the co-accused Rupesh Kumar Thakur. Co-accused Rupesh Kumar Thakur has been taken into custody and is languishing in jail and has also filed regular bail petition before this Hon'ble Court bearing Cr. Misc. No. 39745 of 2026, which is still pending. The petitioners have got clean antecedent.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioners and submits that the petitioners are the conspirators in abducting/kidnapping the daughter of the informant.

6. Having heard the rival submissions and after going through the records, it appears that the son of the



petitioner no.1 was in love with the daughter of the informant and they eloped with each other. The daughter of the informant has already returned and the son of the petitioner no.1 has been taken into custody and his regular bail petition is pending before this Hon'ble Court. Considering the facts and circumstances of the case, let the petitioners, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Chiraiya P.S. Case No. 436 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioners. 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.

**(Ritesh Kumar, J)**

AjayMishra/-

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