**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.46696 of 2026**

**CNR No. BRHC010653412026**

Arising Out of PS. Case No.-244 Year-2025 Thana- HARLAKHI District- Madhubani

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ANAND KUMAR @ ANAND KUMAR SAH S/o Shivchandra Sah @ Shiva Sah R/o vill - Bisaul, P.s.- Harlakhi, Distt.- Madhubani

... ... Petitioner/s

Versus

1. The State of Bihar
2. XXX W/o YYY R/o vill - Bisaul, P.s.- Harlakhi, Distt.- Madhubani

... ... Opposite Party/s

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**Appearance :**
For the Petitioner/s : Mr. Ajay, Sr. Advocate
Mr. Bhavesh Kumar Sah, Advocate
Mr. Sumit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP
Mr. Rananjay Kumar, Advocate
Ms. Archana Aanand, Advocate

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA**

ORAL ORDER

6 28-10-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with Harlakhi P.S. Case No. 244 of 2025 instituted for the offences under Sections 137(2), 96, 127(1), 115(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Accusation against the petitioner is kidnapping the minor daughter of the informant after luring her.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case.

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Learned counsel further submitted that there is a delay of nine days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel for the petitioner submitted that victim in her Statement recorded under Section 183 of the BNSS has specifically stated that she left her house on her own sweet will. He further submitted that nothing has been whispered against the petitioner in Section 183 BNSS statement of the victim regarding any type of forceful physical relationship and there is no sign of force even as per the medical report. Learned counsel further submitted that, as a matter of fact, there was love affair between the petitioner and the victim and they have also solemnized marriage and the matter has been settled and victim is living in her in-laws house. Charge has been framed and victim has also been examined in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.01.2026 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no cogent material against the petitioner

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in Section 183 BNSS statement of the victim as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Harlakhi P.S. Case No. 244 of 2025, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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